

MAINE STATE LEGISLATURE

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L.D. 893

Date: 4-27-11

MINORITY

(Filing No. S- 48)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE

SENATE

125TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 281, L.D. 893, Bill, "An Act To Require an Employer To Provide Notification Regarding the Employer's Personal Leave Policy to Employees"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 26 MRSA §626-C is enacted to read:

§626-C. Notice of paid vacation or earned paid time off policy

An employer who has a paid vacation or earned paid time off policy must provide employees with written notice that describes how the time is earned and accumulated and whether that time will be paid upon termination of employment. If only a portion of earned paid time off is to be paid upon termination, the written policy must specify the portion of earned paid time off that will be paid. Notice required under this section may be accomplished by:

1. Handbook. Including the policy in an employee handbook;

2. Posting. Posting the policy in a conspicuous common area in the place of employment;

3. Website. Posting the policy on the company's website as long as the employee is given a method by which the employee has ready access to the information and may print it without cost to the employee; or

4. By request. Providing the policy upon request of the employee.

For purposes of this section, "earned paid time off" means time away from work by an employee for which the employee receives compensation and is limited to sick time, vacation time, personal time, compensatory time and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these same purposes. "Earned paid time off" does not include paid short-term or long-term disability leave, catastrophic leave or similar types of benefits.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment is the minority report and strikes the bill. It requires employers who have a paid vacation or earned paid time off policy to provide employees with written notice describing how the time is earned and accumulated and whether the time will be paid upon termination of employment. The amendment describes 4 acceptable notification procedures and defines "earned paid time off."