

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 86

S.P. 35

In Senate, January 11, 2017

An Act To Protect Worker Wages and Benefits

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative KUMIEGA of Deer Isle and
Senators: BELLOWS of Kennebec, JACKSON of Aroostook, WOODSOME of York,
Representatives: KORNFIELD of Bangor, MASTRACCIO of Sanford, SPEAR of South
Thomaston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 26 MRSA §626, first and 3rd ¶¶**, as amended by PL 1991, c. 162, are
3 further amended to read:

4 An employee leaving employment must be paid in full within a reasonable time after
5 ~~demand at the office of the employer where payrolls are kept and wages are paid,~~
6 ~~provided~~ cessation of employment, except that any overcompensation may be withheld if
7 authorized under section 635 and any loan or advance against future earnings or wages
8 may be deducted if evidenced by a statement in writing signed by the employee.
9 Whenever the terms of employment include provisions for paid vacations, vacation pay
10 on cessation of employment has the same status as wages earned.

11 For purposes of this subchapter, a reasonable time means the earlier of either the next
12 day on which employees would regularly be paid or a day not more than 2 weeks after the
13 ~~day on which the demand is made~~ cessation of employment.

14 **SUMMARY**

15 Current law provides that an employee whose employment has ceased is entitled to
16 earned wages from the employer, including unused vacation time when paid vacation was
17 included in the terms of employment, upon a reasonable time after that employee makes a
18 demand for such payment from the employer, and that the employee may bring a civil
19 action against an employer that does not comply with this requirement.

20 This bill eliminates the requirement that the employee make a demand for the earned
21 compensation with the employer. Instead, earned wages must be paid by the employer
22 within a reasonable amount of time after the cessation of employment, regardless of
23 whether the employee has made a demand for the wages.