

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 912

H.P. 668

House of Representatives, March 8, 2021

**An Act To Extend Family Medical Leave to Hourly School
Employees**

Reference to the Committee on Labor and Housing suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.

Cosponsored by Representatives: CUDDY of Winterport, OSHER of Orono, SUPICA of Bangor, Senator: BALDACCI of Penobscot.

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

2 **Sec. 1. 26 MRSA §844, sub-§1**, as amended by PL 2007, c. 233, §2, is further
3 amended to read:

4 **1. Family medical leave entitlement.** Every employee who has been employed by
5 the same employer for 12 consecutive months or has been employed by the same school
6 administrative unit for at least 12 months and worked at least 1,250 hours for the school
7 administrative unit in the previous 12-month period for which the employee has been paid
8 on an hourly basis is entitled to up to 10 work weeks of family medical leave in any 2 years
9 unless employed at a permanent work site with fewer than 15 employees. The following
10 conditions apply to family medical leave granted under this subchapter:

11 A. The employee must give at least 30 days' notice of the intended date upon which
12 family medical leave will commence and terminate, unless prevented by medical
13 emergency from giving that notice;

14 B. The employer may require certification from a physician to verify the amount of
15 leave requested by the employee, except that an employee who in good faith relies on
16 treatment by prayer or spiritual means, in accordance with the tenets and practice of a
17 recognized church or religious denomination, may submit certification from an
18 accredited practitioner of those healing methods; and

19 C. The employer and employee may negotiate for more or less leave, but both parties
20 must agree.

21 **SUMMARY**

22 This bill extends the entitlement to family medical leave to hourly employees of school
23 administrative units who have been employed for at least 12 months by the school
24 administrative unit and worked at least 1,250 hours during the previous 12-month period.
25 Under current law, employees must have 12 consecutive months of employment with the
26 same employer to be entitled to family medical leave.