

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1464

S.P. 583

In Senate, April 5, 2023

An Act to Remove the Waiting Period for Benefits Under Maine's Unemployment Insurance System

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

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

2 **Sec. 1. 26 MRSA §1192, sub-§4-A**, as enacted by PL 1981, c. 220, is repealed.

3 **Sec. 2. 26 MRSA §1198, sub-§7**, as enacted by PL 2011, c. 91, §1 and affected by
4 §3, is amended to read:

5 **7. Eligibility for work-sharing benefits.** ~~After serving a waiting period as prescribed~~
6 ~~by the commissioner, an~~ An eligible employee is eligible to receive work-sharing benefits
7 with respect to any week only if the commissioner finds that, in addition to meeting other
8 conditions of eligibility for regular benefits under this Title that are not inconsistent with
9 this section:

10 A. During the week, the eligible employee is employed as a member of an affected
11 unit under an approved work-sharing plan that was approved prior to that week and
12 that is in effect with respect to the week for which work-sharing benefits are claimed;
13 and

14 B. The eligible employee is available and able to work the normal workweek with the
15 work-sharing employer.

16 Notwithstanding any other provisions of this chapter, an eligible employee is deemed
17 unemployed in any week for which remuneration is payable to that eligible employee as an
18 eligible employee in an affected unit for less than that eligible employee's normal weekly
19 hours of work as specified under the approved work-sharing plan in effect for the week.

20 Notwithstanding any other provisions of this Title, an eligible employee may not be denied
21 work-sharing benefits for any week by reason of the application of laws and rules relating
22 to the availability for work and active search for work with an employer other than the
23 work-sharing employer.

24 **Sec. 3. 26 MRSA §1198, sub-§8, ¶G**, as enacted by PL 2011, c. 91, §1 and affected
25 by §3, is amended to read:

26 G. Laws and rules applicable to unemployment compensation claimants apply to
27 work-sharing claimants to the extent that they are not inconsistent with the established
28 work-sharing provisions. An eligible employee who files an initial claim for work-
29 sharing benefits, if eligible for work-sharing benefits, must be provided a monetary
30 determination of entitlement to work-sharing benefits ~~and must serve a waiting period~~
31 ~~of one week.~~

32 **Sec. 4. 26 MRSA §1199, sub-§3**, as enacted by PL 2019, c. 617, Pt. B, §1, is
33 repealed.

34 **SUMMARY**

35 This bill eliminates the waiting period requirement for a person to be eligible for
36 benefits under the Employment Security Law.