

# MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

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Legislative Document

No. 759

H. P. 1387

House of Representatives, February 16, 1949

Referred to the Committee on Federal Relations, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Brown of Baileyville.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-NINE

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AN ACT to Amend the Unemployment Compensation Law to Eliminate  
Double Penalties.

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

R. S., c. 24, § 5, sub-§§ (a), (b) and (c), amended. Subsections (a), (b) and (c) of section 5 of chapter 24 of the revised statutes are hereby amended to read as follows:

(a) For the week in which he has left work voluntarily without good cause, if so found by the commission, and for not less than the 1 nor more than the 5 weeks which immediately follow such week (~~in addition to the waiting period~~), as determined by the commission according to the circumstances in each case ~~and his maximum benefit amount shall be reduced by an amount equivalent to the number of such weeks of disqualification times his weekly benefit amount~~;

(b) For the week in which he has been discharged for misconduct connected with his work, if so found by the commission, and for not less than the 1 nor more than the 9 weeks which immediately follow such week (~~in addition to the waiting period~~), as determined by the commission in each case according to the seriousness of the misconduct ~~and his maximum benefit amount shall be reduced by an amount~~

~~equivalent to the number of such weeks of disqualification times his weekly benefit amount;~~

(c) If the commission finds that he has failed, without good cause, either to apply for available, suitable work when so directed by the employment office or the commission, or to accept suitable work when offered him, or to return to his customary self employment (if any) when so directed by the commission. Such disqualification shall continue for the week in which such failure occurred and for not less than the 1 nor more than the 5 weeks which immediately follow such week ~~(in addition to the waiting period)~~ as determined by the commission according to the circumstances in each case ~~and his maximum benefit amount shall be reduced by an amount equivalent to the number of weeks of disqualification times his weekly benefit amount.~~

(1) In determining whether or not any work is suitable for an individual, the commission shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence.

(2) Notwithstanding any other provisions of this act no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (a) If the position offered is vacant due directly to a strike, lockout, or other labor dispute; (b) if the wages, hours, or other conditions of work are substantially less favorable to the individual than those prevailing for similar work in the locality; (c) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.'