

MAINE STATE LEGISLATURE

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NEW DRAFT "B" OF H. P. 1322—L. D. 885

N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 1293

H. P. 1734

House of Representatives, April 17, 1951.

Reported by Majority from Committee on Labor and printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

**AN ACT to Provide Facilities for the Peaceful Settlement of Industrial
Disputes Through Mediation.**

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

Sec. 1. R. S., c. 25, §§ 9-E - 9-I, additional. Chapter 25 of the revised statutes is hereby amended by adding thereto 5 new sections to be numbered 9-E to 9-I, inclusive, to read as follows:

Panel of Mediators

Sec. 9-E. Declaration of policy. It is hereby declared to be the policy of the state to provide full and adequate facilities for the settlement of disputes between employers and employees or their representatives through mediation.

Sec. 9-F. Panel of mediators. There is hereby created a panel of mediators which shall consist of 5 impartial members, appointed by the governor, with the advice and consent of the council, from time to time upon the expiration of the terms of the several members, for terms of 3 years. One member of the panel shall be appointed chairman thereof by the governor with the advice and consent of the council. Vacancies occurring during a term shall be filled for the unexpired term. Members of the panel shall each receive \$20 a day, for their services, for the time actually em-

ployed in the discharge of their official duties and shall also receive their travelling and all other necessary expenses. Neither the commissioner nor any official of the department of labor and industry nor any member of the board of arbitration and conciliation shall be eligible to serve as a member of the panel, nor have any jurisdiction or authority over the panel in the performance of its duties.

Sec. 9-G. Mediation procedure; duties of the panel. The chairman of the panel, upon request of one or both of the parties to a dispute between an employer and his employees, shall, or upon his own motion may, proffer the services of one or more members of the panel to be selected by the chairman, to serve as a mediator or mediators in such a dispute. The member or members so selected shall exert every reasonable effort to encourage the parties to the dispute to settle their differences by conference or other peaceful means.

Sec. 9-H. Services of panel not available if covered by agreement. The services of the panel as mediators shall not be invoked in any dispute between the parties to an agreement between an employer and his employees if such agreement contains provisions providing a method for settlement of such dispute.

Sec. 9-I. Privilege. Any information disclosed by either party to a dispute to the panel or any of its members in carrying out the provisions of sections 9-E to 9-I, inclusive, shall be privileged.'

Sec. 2. R. S., c. 25, § 10, amended. The 7th sentence of section 10 of chapter 25 of the revised statutes is hereby amended to read as follows: 'Workers shall have full freedom of association, self organization and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment or other mutual aid or protection, free from interference, restraint or coercion by their employers or other persons, and it shall be the duty of the board to endeavor to settle disputes, strikes, and lockouts between employers and employees questions related to the determinaiton of a bargaining agent.'