

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-THREE

—  
H.P. 882 - L.D. 1368

**An Act to Ensure Fairness in Unemployment Benefits by Clarifying Laws  
Regarding Labor Organizations**

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

**Sec. 1. 26 MRSA §1192, sub-§13**, as amended by PL 2017, c. 453, §3, is further amended to read:

**13. Reemployment services and eligibility assessment; participation.** In the case that the individual has been referred to reemployment services and eligibility assessment by the Department of Labor, the individual participates in those services, unless the department determines there is good cause for the individual's failure to participate. Failure to participate in reemployment services and eligibility assessment without good cause results in a denial of benefits until the individual participates; ~~and~~

**Sec. 2. 26 MRSA §1192, sub-§14**, as enacted by PL 2017, c. 453, §4, is amended by amending the first blocked paragraph to read:

An individual may not receive more than 6 weeks of benefits in a benefit year pursuant to this subsection unless approved by the Department of Labor; ~~and~~

**Sec. 3. 26 MRSA §1192, sub-§15** is enacted to read:

**15. Actively seeking work; union hiring hall.** An individual is considered to be actively seeking work in accordance with this section if the individual is a member of a bona fide labor union, maintains contact with that union and uses and complies with the placement services of the union hiring hall in seeking work. As used in this subsection, unless the context otherwise indicates, "union hiring hall" means a service provided by a labor union or an entity associated with a labor union that places employees with an employer under a collective bargaining agreement or otherwise places employees with employers.

**Sec. 4. 26 MRSA §1193, sub-§3, ¶B**, as amended by PL 2021, c. 348, §40, is further amended by amending subparagraph (2) to read:

(2) If the wages, hours or other conditions of work, such as fringe benefits, are substantially less favorable to the individual than those prevailing for similar work in the locality;

**Sec. 5. 26 MRSA §1193, sub-§3, ¶B**, as amended by PL 2021, c. 348, §40, is further amended by amending subparagraph (3) to read:

(3) 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 or maintaining membership in any bona fide labor organization;