

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Provide Equity for Seasonal Public School Employees Concerning Unemployment**

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

**Sec. 1. 26 MRSA §1192, sub-§7, ¶B**, as amended by PL 1983, c. 13, §7, is repealed.

**Sec. 2. 26 MRSA §1192, sub-§7, ¶C**, as amended by PL 1977, c. 585, §2, is further amended to read:

C. With respect to weeks of unemployment beginning after December 31, 1977, benefits ~~shall~~must be denied to any individual for any week ~~which~~that commences during an established and customary vacation period or holiday recess if such individual performs any services described in ~~paragraphs~~paragraph A or B ~~services in any other capacity~~ in the period immediately before such vacation period or holiday recess, and there is annual written reasonable assurance that such individual will perform any such services in the period immediately following such vacation period or holiday recess. This paragraph does not apply to an individual who is employed in a capacity other than an instructional, research or principal administrative capacity with respect to any week that commences during a period between 2 successive academic years or terms; and

**Sec. 3. 26 MRSA §1192, sub-§7, ¶D**, as enacted by PL 1979, c. 515, §14, is amended to read:

D. With respect to weeks of unemployment beginning after June 30, 1979, benefits ~~shall~~must be denied to an individual who performed services in an educational institution while in the employ of an educational service agency for any week ~~which~~that commences during a period described in ~~paragraphs~~paragraph A, B and C if that individual performs any services described in ~~paragraphs~~paragraph A or B in the first of these periods, ~~as specified in the applicable paragraph,~~ and there is a contract or a reasonable assurance ~~as applicable in the appropriate paragraph,~~ that the individual will perform these services in the 2nd of these periods, ~~as applicable in the appropriate paragraph~~ and benefits must be denied to such an individual for any week that commences during a period described in paragraph C if that individual performs any services described in paragraph A or any other services in the first of these periods and there is reasonable assurance that the individual will perform these services in the 2nd of these periods. For purposes of this paragraph the term "educational service agency" means a governmental agency or governmental entity ~~which~~that is established and operated exclusively for the purposes of providing these services to one or more educational institutions.

### **SUMMARY**

This bill allows school employees, except those that work in an instructional, research or principal administrative capacity, to collect unemployment benefits during months they are not employed.