

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 Protect Earned Pay

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

Sec. 1. 26 MRSA §1193, sub-§5, as amended by PL 2011, c. 645, §8, is further amended to read:

5. Receiving remuneration. For any week with respect to which the individual is receiving, has been scheduled to receive or has received remuneration in the form of:

A. Dismissal wages, wages in lieu of notice,~~or~~ terminal pay ~~or holiday pay~~; or

~~A-1. Any vacation pay in an amount exceeding the equivalent of 4 weeks' wages for that individual;~~
~~or~~

B. Benefits under the unemployment compensation or employment security law of any state or similar law of the United States.

If the remuneration under paragraph A is less than the benefits that would otherwise be due under this chapter, the individual is entitled to receive for that week, if otherwise eligible, benefits reduced by the amount of the remuneration, rounded to the nearest lower full dollar amount. ~~Earned vacation pay that is paid to the individual prior to the individual's being notified orally or in writing by the employer of the employer's intent to sever the employment relationship is not considered remuneration for purposes of this subsection;~~

SUMMARY

Under the current law, a person who receives or is scheduled to receive remuneration in the form of vacation pay in excess of 4 weeks' wages or holiday pay is disqualified from receiving unemployment benefits for the week that remuneration is due. This bill removes those disqualifications.