



131st MAINE LEGISLATURE

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No. 946

H.P. 593

House of Representatives, March 2, 2023

An Act Regarding Unemployment Benefits for Part-time Faculty at Public Colleges and Universities

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.

Cosponsored by Representatives: GATTINE of Westbrook, MALON of Biddeford, OSHER of Orono, SACHS of Freeport, SAYRE of Kennebunk, SHEEHAN of Biddeford, SUPICA of Bangor.

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

2 **Sec. 1. 26 MRSA §1192, sub-§7, ¶C**, as amended by PL 1977, c. 585, §2, is further
3 amended to read:

4 C. With respect to weeks of unemployment beginning after December 31, 1977,
5 benefits ~~shall~~ must be denied to any individual for any week ~~which~~ that commences
6 during an established and customary vacation period or holiday recess if such
7 individual performs any services described in ~~paragraphs~~ paragraph A or B in the
8 period immediately before such vacation period or holiday recess; and there is annual
9 written reasonable assurance that such individual will perform any such services in the
10 period immediately following such vacation period or holiday recess;

11 **Sec. 2. 26 MRSA §1192, sub-§7, ¶D**, as enacted by PL 1979, c. 515, §14, is
12 amended to read:

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

25 **Sec. 3. 26 MRSA §1192, sub-§7, ¶E** is enacted to read:

26 E. A person is eligible for benefits in the same amount on the same terms as for other
27 service subject to this Act if the person satisfies subsections 1 to 4-A, is not disqualified
28 under section 1193 and:

29 (1) Performed services in a public educational institution in an instructional
30 capacity on a semester-to-semester, part-time basis for at least 6 consecutive
31 academic semesters that constitute at least 3 academic years and is not employed
32 by the institution for the next academic semester; or

33 (2) Performed services in a public educational institution in an instructional
34 capacity on a part-time basis and is terminated as a result of the institution
35 cancelling the class for which the person was the instructor and the termination
36 occurs no later than 60 days after the start of the class.

37 For purposes of this paragraph, "public educational institution" means the University
38 of Maine System, the Maine Community College System and the Maine Maritime
39 Academy. Nothing in this paragraph limits the eligibility of a person for benefits under
40 any other provision of this section.

1 **SUMMARY**

2 This bill provides eligibility for unemployment benefits to a person who performed
3 services in a public educational institution in an instructional capacity on a part-time basis
4 for at least 6 consecutive academic semesters that constitute at least 3 academic years and
5 is then not employed by the institution for the next academic semester. It also provides
6 eligibility if the person performed services in a public educational institution in an
7 instructional capacity on a part-time basis and is terminated as a result of the institution
8 cancelling the class for which the person was the instructor, as long as the termination
9 occurs no later than 60 days after the start of the class.