

Committee: LBHS

LA: SL

File Name:G:\COMMITTEES\LBHS\Bill Amendments\130th 2nd\246102.docx

LR (item): 246102

New Title?: N

Add Emergency?:

Date: February 22, 2022

**LD 460**  
**PROPOSED AMENDMENT**  
**Offered by Rep. Sylvester**

**Sponsor Amendment “ “ to LD 460, “An Act To Amend Certain Employment Laws To Help Front-line and Other Workers”**

Amend the title by striking it and inserting: “An Act To Grant Sick Leave to Restaurant Employees Affected by COVID-19”

Amend the bill by inserting before the enacting clause the following:

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** restaurants are struggling with unanticipated labor shortages and labor interruptions;

**Whereas,** many restaurant employees have exhausted their accrued sick leave time;

**Whereas,** many restaurant employees have to take unpaid sick leave due to reasons beyond their control; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Sec. 1. 26 MRSA §876** is enacted to read:

**§876. Employer to grant sick leave to restaurant employees affected by COVID-19**

A restaurant employer shall grant up to 80 hours of paid sick leave to a restaurant employee affected by the illness caused by infection with the coronavirus SARS-CoV-2, referred to in this section as “COVID-19,” in accordance with the following.

**1. Requirements.** A restaurant employee who is affected by COVID-19 is granted up to a maximum of 80 hours of paid sick leave when needed by the employee because the employee:

A. Is subject to a federal, state or local quarantine order related to COVID-19;

B. Has been or is advised by a health care provider to self-quarantine for reasons related to COVID-19;

- C. Is experiencing symptoms of COVID-19 and is seeking a medical diagnosis;
- D. Is caring for an individual subject to a federal, state or local quarantine order related to COVID-19; or
- E. Is a parent or guardian who is providing care for a child whose school or place of child care is closed or unavailable due to precautions related to COVID-19.

**2. Application.** This section applies only to a restaurant employee who has exhausted the employee's paid sick leave or to an employee who does not otherwise receive sick paid leave at the employee's place of employment. This section applies until the employee has been granted a maximum of 80 hours of paid sick leave for the purposes described in this section.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This amendment replaces the bill, which is a concept draft. This amendment provides that a restaurant employer shall grant up to 80 hours of sick leave time to an employee affected by COVID-19.