

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

An Act Creating a Probationary Period for County Corrections Officials

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

Sec. 1. 30-A MRSA §501, sub-§2-A is enacted to read:

2-A. Probationary period for corrections officials. A person who has been hired as jailer, master, keeper or a subordinate assistant or employee under section 1501 must complete an employment probationary period that lasts for at least one year after completion of the basic corrections training at the Maine Criminal Justice Academy or the date the State Board of Corrections waives the basic training requirement pursuant to Title 25, section 2804-D.

Sec. 2. 30-A MRSA §501, sub-§3, as amended by PL 2001, c. 349, §5, is further amended to read:

3. Dismissal, suspension, discipline. Following a reasonable probationary period consistent with the provisions of subsection 2-A and section 2701, a county officer or department head may dismiss, suspend or otherwise discipline a department employee only for cause, except as provided in paragraph A. Cause for dismissal, suspension or disciplinary action must be a just, reasonable, appropriate and substantial reason for the action taken that relates to or affects the ability, performance of duties, authority or actions of the employee or the public's rights or interests.

A. An employee may be dismissed by a county officer or department head only for cause and only with the prior approval of the county commissioners or personnel board, except that county employees may be laid off or dismissed, with the approval of the county commissioners or personnel board, to meet the requirements of budget reductions or governmental reorganization.

B. In every case of suspension or disciplinary action other than dismissal, at the employee's request, the county commissioners or personnel board shall investigate the circumstances and fairness of the action and, if they find the charges unwarranted, shall order the employee's reinstatement to the employee's former position with no loss of pay, rights or benefits resulting from the suspension or disciplinary action.

SUMMARY

This bill requires county corrections officials to serve a one-year period of probation after completion of the basic corrections training at the Maine Criminal Justice Academy.