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An Act To Require Employees Injured at Work To Report Those Injuries within 24 Hours

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

Sec. 1. 39-A MRSA §301, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

§ 301. Notice of injury within 24 hours

Proceedings for compensation under this Act, except as provided, may not be maintained unless a notice of the injury is given within ~~90 days~~24 hours after the date of injury. The notice must include the time, place, cause and nature of the injury, together with the name and address of the injured employee. The notice must be given by the injured employee or by a person in the employee's behalf, or, in the event of the employee's death, by the employee's legal representatives, or by a dependent or by a person in behalf of either.

The notice must be given to the employer, or to one employer if there are more employers than one; or, if the employer is a corporation, to any official of the corporation; or to any employee designated by the employer as one to whom reports of accidents to employees should be made. It may be given to the general superintendent or to the supervisor in charge of the particular work being done by the employee at the time of the injury. Notice may be given to any doctor, nurse or other emergency medical personnel employed by the employer for the treatment of employee injuries and on duty at the work site. If the employee is self-employed, notice must be given to the insurance carrier or to the insurance carrier's agent or agency with which the employer normally does business.

SUMMARY

This bill amends the workers' compensation laws to require a 24-hour notice of injury by an employee from the current requirement of a 90-day notice of injury.