

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

An Act Regarding Unemployment Compensation

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

Sec. 1. 26 MRSA §1082, sub-§14, ¶A, as amended by PL 1995, c. 657, §2 and affected by §10, is further amended to read:

A. The Director of Unemployment Compensation or a representative of the commissioner duly authorized by the commissioner to do so shall determine whether an employing unit is an employer and whether services performed for or in connection with the business of the employing unit constitute employment, and shall give written notice of the determination to the employing unit. The written notice must include documentation of all information gathered explaining the reasoning and evidence used to make the determination. When investigating a claim of unemployment, the director shall provide equal treatment of the claimant and the alleged employer. Records of all interviews and documentation must be kept and made available to both parties. Unless the employing unit, within 30 calendar days after notification was mailed to its last known address, files an appeal from that determination, the determination is final.

SUMMARY

This bill requires the Director of Unemployment Compensation, when sending a written notice of determination of employment, to include the documentation that supported the determination. The bill also requires the director to treat both claimant and employer equally and to make available the record of interviews and documentation to both parties.