

# STATE OF MAINE

Inter-Departmental Memorandum Date 1/16/81

Staff \_\_\_\_\_

Dept. \_\_\_\_\_

From John \_\_\_\_\_

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Subject Revision of Legal Memo (dated Aug. 13, 1980) on Tolling of Time to File Charge

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The U.S. Supreme Court has ruled that, under Title VII, the time limit on filing charges is not tolled during the period of an arbitration procedure under a collective bargaining agreement. Electrical Workers v. Robbins & Myers, Inc., 429 U.S. 229; Deleware State College v. Ricks, 24 FEP Cases 827 (December 15, 1980).

I see no reason why the Maine courts would not follow the U.S. Supreme Court on this issue when interpreting the Maine Human Rights Act. The Commission may wish to advise Complainants accordingly. In any event, we should always advise potential Complainants to file as soon as possible regardless of other action they may be taking with other agencies or in different forums.