

STATE OF MAINE
**PROCEDURES FOR REIMBURSEMENT FOR DAMAGE TO EMPLOYEE'S PERSONAL
PROPERTY OCCURRING IN THE COURSE AND SCOPE OF EMPLOYMENT**

I. Applicability

These procedures apply to claims made by state employees for personal property damage occurring in the course and scope of their state employment that are valued at \$2,000 or less.

II. Procedures

Claims made by state employees for damage to personal property occurring in the course and scope of their state employment are governed by 5 M.R.S. § 1510-A.

A. Claims shall be submitted **in writing** to the employing department along with proof of the amount of damages and any substantiating information. The submission shall include:

1. Name, address, and phone number of claimant and any representative of the claimant.
2. The name of the State department or agency.
3. The date, time, and place of the incident giving rise to the claim.
4. The name and address of all state employees and non-state employees who were involved or witnessed the incident giving rise to the claim.
5. The name and agency of any law enforcement personnel who investigate the claim.
6. A concise statement of the basis of the claim.
7. Estimated dollar value of the claim with receipts or estimates by parties having no relation to the claimant which objectively indicate the cost of repairing or replacing any property and who are qualified to make sure estimates with their address and phone numbers.

B. The employing department shall make its decision and the reasons for the decision, in writing and shall, as soon as practicable, send a copy of that decision to the claimant by certified mail.

- C. If the claim is disapproved in whole or part by the department, the employee may appeal this decision to the State Claims Commission within 30 days of the decision. The responsible department shall make any payment resulting from the decision of the State Claims Commission.
- D. If the claim was submitted according to Paragraph 1 above and the department refused to hear it, or no final decision was made by the department within 90 days of the submission, the claim may be submitted to the State Claims Commission for hearing and decision. The responsible department shall make any payment resulting from the decision of the State Claims Commission.
- E. Either the department or the employee may appeal an award by the State Claims Commission to the Superior Court within 30 days after the date of the receipt of the notice of the award. The appeal must be taken in the manner specified in 5 M.R.S. A. § 1510-A(4).
- F. The state does not reimburse an employee for their insurance deductible when the damage to the vehicle is caused by an accident in the scope and course of their employment unless it is determined that the state was responsible for the accident.