

MINUTES OF THE MEETING
LABOR & EMPLOYMENT RELATIONS COMMITTEE
MONTANA STATE SENATE

MARCH 21, 1977

The twenty-seventh meeting of the Labor and Employment Relations Committee was called to order by Chairman Lee on the above date in Room 402 of the State Capitol Building at 9:30 a.m.

ROLL CALL: All members present with Senator Mehrens excused.

FURTHER CONSIDERATION OF HB 700: Senator Himsl passed out a chart to show the committee exactly what HB 700 does. Currently the Personnel Division is under the Department of Administration and the Board of Personnel Appeals is under the Department of Labor. The Personnel Division deals with the classification and pay plan. Appeals may be made from the Board of Personnel Appeals. The Merit System is set aside from these and their appeals go to the Board of Personnel Appeals under the Department of Labor. (See attachment)

Under the proposal, the Personnel Division is under the Department of Administration which deals with the classification and pay plan. HB 700 would incorporate the merit employees under the Personnel Division. Any appeals that would take place in the Personnel Division would be made to the Personnel Review Board under the Department of Labor. Senator Himsl stated that when he and Senator Goodover made the amendment to change the Personnel Review Board from the Department of Labor to the Department of Administration for classification appeals, they did not see the whole picture. This would have put all the power in the Department of Administration and they should be separated.

Duane Johnson stated that the Merit System is currently under the Department of Administration for administrative purposes only, for example the council hires their own staff. The Merit System is not eliminated completely under this bill, it will continue to be under the Department for administrative purposes only.

Clifford McGillivray stated that they did have a problem with the grievance procedure in a collective bargaining agreement taking precedence over other grievances. This is a direct violation of the Federal Standards. Mr. Johnson stated that any grievance procedure that is developed for non-organized employees would not take precedence over the grievance procedure in a collective bargaining agreement.

Senator Goodover asked why the material on the top of page 9, lines 1 through 9 is deleted. Mr. McGillivray stated that in the Federal Standards there is a section regarding the Merit System organization. It tells how the board is appointed. When the Merit

system was first organized, the state adopted that the agency would make recommendations to the governor and he would then appoint the board. Under this section, the governor will make the appointment without any recommendation.

Mr. Johnson stated that the Department of Administration and the Governor's Office requested this bill.

Senator Goodover made a motion that HB 700 BE NOT CONCURRED IN. The motion carried unanimously. HB 700 was then transferred to a Select Committee to be studied further.

FURTHER CONSIDERATION OF HB 346: HB 346 will allow employees represented by a collective bargaining unit to negotiate a different insurance carrier. This could cause an increased cost to insure employees in the State Plan if the number of employees presently in the State Insurance Plan decreases significantly.

Senator Goodover stated that HB 346 would adversely affect the Pay Plan and also SB 80.

Senator Himsl stated that he would see a problem with this bill when it came to the university system. In the university system, some insurance groups are organized and some are not. If the insurance rate is subject to collective bargaining that would force the people to go into the collective bargaining agreement even if they did not choose to.

Senator Smith stated that the only thing that can be negotiated is the terms and conditions of group insurance. It is not talking about money, it is the priveledge they have to negotiate the terms and conditions of a different carrier.

Senator Blaylock made a motion that HB 346 BE CONCURRED IN. The motion carried with Senators Lee, Blaylock, Lowe, Mehrens and Smith voting "aye" and Senators Goodover, Himsl, and Nelson voting "nay". HB 346 was then referred to a Select Committee to be studied further.

FURTHER CONSIDERATION OF HJR 25: Senator Smith suggested two amendments to HJR 25 to the committee to delete lines 11 through 14 and lines 20 through 24 on page 2. Discussion was then held and it was decided just to delete lines 20 to 24. Senator Smith made a motion that the committee adopt an amendment to delete lines 20 through 24 on page 2. The motion carried with Senator Nelson voting "no".

Senator Goodover made a motion that HJR 25 BE CONCURRED IN AS AMENDED. The motion failed with Senators Lowe, Goodover, Himsl and

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Nelson voting "aye" and Senators Lee, Blaylock, Mehrens and Smith voting "nay". HJR 25 will go to Second Reading Without Recommendation.

ADJOURN:

There being no further business, the meeting was adjourned
at 10:45 a.m.

A handwritten signature in cursive script, appearing to read "Robert E. Lee", written over a horizontal line.

Robert E. Lee, Chairman

ROLL CALL

LABOR & EMPLOYMENT RELATIONS COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date _____

3/21

[illegible]

3/21

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date _____ House Bill No. 346 Time _____

NAME	YES	NO
Senator Robert Lee, Chairman	✓	
Senator Bill Lowe, Vice Chairman	✓	
Senator Chet Blaylock	✓	
Senator Pat Goodover		✓
Senator Matt Himsl		✓
Senator Sandy Mehrens	✓	
Senator Harold Nelson		✓
Senator Richard Smith	✓	

Laurie Jo Antonietti
Secretary

Senator Robert Lee
Chairman

Motion: Senator Blaylock moved that HB
346 Be Concurred In.

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date _____ House Bill No. 700 Time _____

NAME	YES	NO
Senator Robert Lee, Chairman	✓	
Senator Bill Lowe, Vice Chairman	✓	
Senator Chet Blaylock	✓	
Senator Pat Goodover	✓	
Senator Matt Himsl	✓	
Senator Sandy Mehrens	✓	
Senator Harold Nelson	✓	
Senator Richard Smith	✓	

Laurie Jo Antonietti
Secretary

Senator Robert Lee
Chairman

Motion: Senator Nelson moved HB 700
BE NOT CONCURRED IN.

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE LABOR & EMPLOYMENT RELATIONS

Date _____ HJR Bill No. 25 Time _____

NAME	YES	NO
Senator Robert Lee, Chairman		✓
Senator Bill Lowe, Vice Chairman	✓	
Senator Chet Blaylock		✓
Senator Pat Goodover	✓	
Senator Matt Himsl	✓	
Senator Sandy Mehrens		✓
Senator Harold Nelson	✓	
Senator Richard Smith		✓

Laurie Jo Antonietti
Secretary

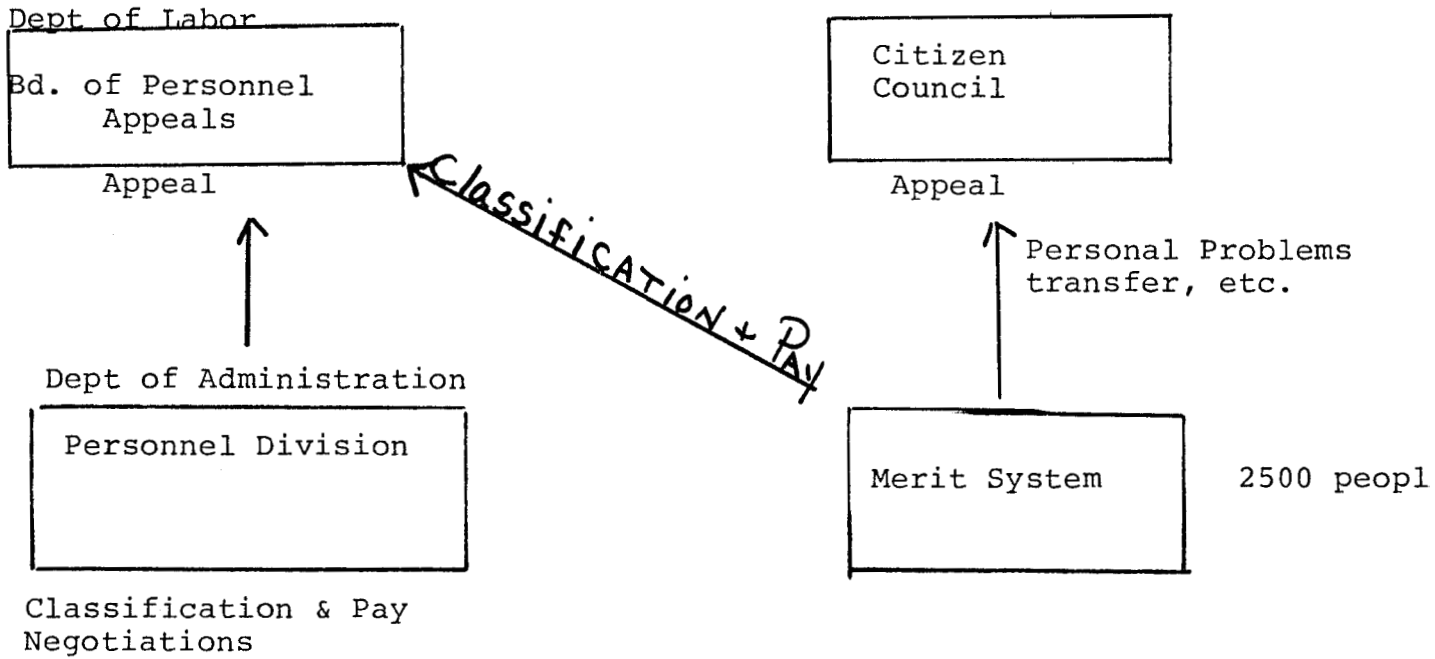
Senator Robert Lee
Chairman

Motion: Senator Goodover moved that
HJR 25 BE CONCURRED IN AS AMENDED.
The motion failed. HJR 25 will go to
Second Reading WITHOUT RECOMMENDATION.

(include enough information on motion--put with yellow copy of committee report.)

NOW

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HB 700



PROPOSED PLAN

