

JANUARY 23, 1979
PROCEEDINGS OF THE
LABOR AND EMPLOYMENT RELATIONS COMMITTEE

The meeting was called to order at 1:30 p.m. by Chairman Williams. The secretary took roll. Rep. Dozier was absent. All other members were present.

HOUSE BILL 159: Rep. Harper, sponsor, gave the essence of the bill, and introduced Mr. Harold Kansier, Employment Security Division, Dept. of Labor & Industry, who further explained the bill. Mr. Kansier said many employers do not report wages for casual labor. These wages are discovered only during an audit. He offered the following amendment:

1. Page 4, line 14.
Strike: "not"

Questions were asked by the Committee. There were no other proponents and no opponents.

HOUSE BILL 143: Rep. Hand, sponsor, said the purpose of the bill is to ease the drain on the unemployment fund. He explained the bill would change the time requirement for receiving benefits after leaving work without good cause from 4 weeks to 6 weeks.

The following were proponents of HB 143:

Mr. Ed Nurse, Helena Area Chamber of Commerce (exhibit 1).

Mr. Gerald Neils, Montana Logging Association, said there is a real problem with employees leaving the job when the first snow flies or during hunting season, or simply because they have made enough money for the year. He stated this happens less often now than it did 10 years ago.

Opponents to HB 143 were:

Mr. James Murry, Executive Secretary, AFL-CIO, said HB 143 is another attempt to restrict benefits to claimants. He said the restrictions are too severe and do not take into consideration the person whose only motivation in leaving the job was to better himself. He stated Montana has a good law and HB 143 is much too harsh.

Mr. Sam Silverthorne, Building Trades and Operating Engineers, said there are many reasons a person leaves a job; economical, social, etc. The bill indicates a person must go back to work in order to qualify for benefits that have already been paid in on his behalf.

Mr. Pat McKittrick, Joint Council of Teamsters, said he objects to the bill in its present form. He stated the fund has tightened up considerably under the present law. The way the bill is written, amendments must be added to make it workable.

Mr. Larry Persinger, Construction and General Laborer's Local 1334 (exhibit 2)

Mr. Mitch Mihailovich, Montana State Building Trades, (exhibit 3).

Mr. Ed Holmes, Laborer's Union Local 1334.

Mr. Fred Barrett, Employment Security Division, said he was not appearing as an opponent, but would like to offer some amendments to HB 143. Rep. Harper asked Mr. Barrett to submit the amendments (exhibits 4, 5, 6).

Rep. Fagg asked Mr. Barrett what the Department does about people who refuse to enter the labor market. Mr. Barrett said the present law takes care of that kind of situation. Mr. Barrett also said they cannot force a person to take a job for less money and responsibility than their previous job.

Rep. Porter asked Mr. Barrett how important it is to get the fund out of the red. Mr. Barrett said that in order to be certified by the Secretary of Labor, the Dept. must make a payment by November, 1979.

The Committee went into executive session.

HOUSE BILL 159: It was moved by Rep. O'Connell, seconded by Rep. Manning that HB 159 AS AMENDED DO PASS. Motion carried. It was moved by Rep. Harrington, seconded by Rep. Manning to place HB 159 on the consent calendar. Motion carried unanimously.

HOUSE BILL 33: Chairman Williams asked for a report by the subcommittee studying HB 33. Rep. O'Connell said they would be meeting on January 24.

HOUSE BILL 129: subcommittee will report back on Thursday.

HOUSE BILL 54: will be held until HB 177 is heard. Rep. Underdal distributed copies of the Restaurant, Bar, and Tavern Wage Protection Act.

HOUSE BILL 147: Karen Hedblom, researcher, reported on HB 147 (exhibit 7). A copy of a letter to Ms. Carole Brass, from Attorney General, Mike Greely, was distributed to the Committee (exhibit 8).

Representative Dozier arrived.

Rep. Menahan moved that HB 147 DO PASS. After considerable discussion, question was called and a roll call vote was taken. Rep. Dozier abstained. Voting no were: Rep. Harper, Manning, O'Connell Seifert, Teague, Underdal, and Rep. Wyrick. Motion carried 9-7.

Meeting adjourned at 3:00 p.m.

Lois South

LOIS South, Secretary

J. Melvin Williams

J. Melvin Williams, Chairman