

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

April 18, 1979

A special meeting of the Labor & Employment Relations Committee was called to order by Chairman Lowe at 11:10 a.m., on April 18, 1979, in Room 404 of the Capitol.

The following members were present: Senator R. Smith, Senator Hafferman, Senator Mehrens, Senator Dover, Senator Aklestad and Senator Lowe.

Chairman Lowe asked Representative Harper to address the Committee as Sponsor of House Joint Resolution No. 64. Representative Harper stated that the Resolution would request the Department of Administration to study the merits of expanding the use of permanent part-time employment and flexible-time employment in State Government, and reporting back to the Legislative Council. Representative Harper stated that a similar bill, House Bill #296, had been killed because that bill mandated that a certain percentage of employees in State Government be part-time workers. Mr. Harper felt that the State should conduct a study to determine the merits of hiring part-time workers as he felt that accuracy and efficiency in employment would increase; it would enable the State to employ from many different segments of the labor market. Mr. Harper stated that presently in SRS, there was a position being held by two individuals whereby one worked one week and the other worked the alternate week and this system was working out very well.

Another proponent of HJR #64 was Mr. Pat Estenson, Chief, Employee Relations Bureau, State Personnel Division. Mr. Estenson's statement is attached as Exhibit "A".

Ms. Sue Bartlett, representing the Department of Labor and Industry, addressed the Committee in support of the Resolution. Ms. Bartlett stated that the Department of Labor and Industry had implemented a job-sharing arrangement in some of their positions and found it to be a satisfactory arrangement for the Department and the employees. She stated that the Department supported a study of alternative work patterns that included consideration of changes that might be needed in the existing labor laws, protection for workers who need and want to work full time, and assurance of pro-rated fringe benefits for part-time workers. Ms. Bartlett stated that the Department preferred that the study be conducted by an Interim Legislative Committee rather than the Department of Administration because changes in Montana's employment laws would likely result from such a study.

Chairman Lowe then asked if there were any opponents to House Joint Resolution #64. Mr. Don Judge, representing AFSCME, AFL-CIO, addressed the Committee in opposition to this Resolution. Mr. Judge stated that there was no need for such a study in that part-time employees only upset unemployment rates and took jobs which could provide full incomes to families and divided these incomes among persons who were seeking supplemental incomes to an already existing income. Mr. Judge stated that this Resolution was only preparatory to setting mandated percentage limits for job-sharing of currently established full-time positions. Mr. Judge stated that job-sharing reduced productivity by mandating a transfer of information between two employees holding the same job thus breaking the continuity of the work effort.

Another opponent to HJR #64 was Mr. Thomas E. Schneider, representing the Montana Public Employees Association. Mr. Schneider explained that when the Resolution was in the House, he had favored its passage, but had since changed his position after the Resolution had been changed from a study of an Interim Committee to a study by the Department of Administration. Mr. Schneider did not feel that the Resolution was necessary since the Department of Administration was going to conduct a study of part-time employees any way. Mr. Schneider felt that this Resolution was a veiled attempt to pass mandatory job-sharing. Mr. Schneider explained that job-sharing doubled costs to the State in that the unemployment benefits, retirement benefits, etc., would double in a job-sharing situation.

There being no further opponents, Representative Harper closed reiterating that he felt the State needed the study in order to see if the advantages outweigh the disadvantages.

After a short question and answer period, Chairman Lowe closed the hearing on House Joint Resolution #64. Chairman Lowe then asked if the Committee would like to make a motion on this Resolution. Senator Mehrens moved that the Resolution Do Not Pass. The following Roll Call Vote was taken:

Senator Nelson - Absent; Senator Smith - Yes; Senator Mehrens - Yes; Senator Palmer - Absent; Senator Aklestad - Yes; Senator Dover - No; Senator Hafferman - No; Senator Lowe - No.

Since the Committee votes were tied, the Resolution will remain in Committee.

Senator Smith moved that the Committee adjourn and there being no further business, the motion carried. The Committee adjourned at 11:35 a.m.

*William P. ...*

*Exhibit "A"*

HJR #64

Senate Labor and Employee Relations Committee  
April 18, 1979

I am Pat Estenson, Chief, Employee Relations Bureau, State Personnel Division.  
I support HJR #64.

The question of job sharing was raised in the last session but was not felt to be appropriate at that time.

Presently there is limited job sharing in some State government such as the Departments of SRS, Administration and Labor and Industry. Job sharing has proven beneficial in these agencies. In addition, work hours in the Department of Highways have been staggered to respond to traffic congestion and other related problems. This too has been successful.

The Personnel Division has done some research on "flex time" in other states for the Governor's Good Government Task Force. We do have some information on the use of "flex time" in other states.

The Personnel Division supports HJR #64 and would be willing to conduct the requested study on the merits of expanding the use of permanent part-time employment and flexible time employment in State government and submit the required reports to the Legislative Council and our recommendations and necessary legislation to the 47th Legislature.

Thank you Mr. Chairman and members of the Committee.



NAME: Lee Bartlett DATE: 4/12/79

ADDRESS: Box 1728, Helena, MT 59601

PHONE: 449-2741

REPRESENTING WHOM? Dept. of Labor & Industry

APPEARING ON WHICH PROPOSAL: HJR 64

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: The Dept. of Labor & Industry has implemented a job-sharing arrangement in some positions and found it to be a satisfactory arrangement for the Department and the employees. We support a study of alternative work patterns that includes consideration of changes that may be needed in existing laws, protection for workers who don't want to work full-time, and assurance of pro-rated fringe benefits for part-time workers. We would prefer that the study be conducted by an outside legislative committee rather than the Dept. of Administration because Montana's employment laws are being revised and carefully designed changes in the laws are being made.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

a study. The experience to draft any legislation needed would be in the staff of the legislative council, not in the Dept. of Administration.

NAME: Don Judge DATE: 4/18/79

ADDRESS: 600 N. Cooke St. Helena

PHONE: 742-1192

REPRESENTING WHOM? AFSCME, AFL-CIO

APPEARING ON WHICH PROPOSAL: HJR 64

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: no need for such a study, Part-time workers  
upset unemployment rates, they take jobs which could provide  
full income to a family and divide it among persons who are  
seeking supplemental income to an already existing spouse's  
income. It is prepatory to setting mandated percentage  
limits for job-sharing of currently established full-time  
positions. It reduces productivity by mandating a transfer  
of information between two employees holding the same  
job thereby breaking continuity of work effort.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Thomas E. Schneider DATE: 4/12/77

ADDRESS: Box 5600 Helena

PHONE: 442-4400

REPRESENTING WHOM? MPEA

APPEARING ON WHICH PROPOSAL: HJR # 64

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: Flex-time in many ways could  
be beneficial but would require statutory  
changes - We feel it should be an  
interim committee -

This is a veiled attempt to  
pass mandatory Job-Sharing

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.