

HOUSE LABOR AND EMPLOYMENT RELATIONS COMMITTEE MINUTES
March 26, 1983 (Afternoon)

The House Labor and Employment Relations Committee convened at 1:45 p.m., March 26, 1983, in Room 224K of the State Capitol, with Chairman Williams presiding and all members present except Rep. Dozier, who was absent. Chairman Williams opened the meeting to an executive session.

EXECUTIVE SESSION

SENATE BILL 197 Chairman Williams introduced the bill. He said what it does now is say the offended individual must file a complaint within 60 days. This is to protect the state against being liable for back pay. Chairman Williams said he is going to introduce a house joint resolution that this subject be studied in the interim as it is apparent after the hearing on the two bills on veterans' preference that there are problems. He said this bill had been put together by a coalition of all parties but when they got to the Senate hearing they went in all directions.

Rep. Jones moved to TABLE the bill. He said the department can put everything back into the bill if they want to.

Rep. Bachini asked if the study committee would include all groups. Chairman Williams said the committee has to be all legislators but all parties would have input.

Rep. Miller asked if this study could also include hearings to reflect past inequities against vets.

Rep. Pavlovich said he felt it would be appropriate to suggest the committee look into that also.

Rep. Driscoll reminded them that there is \$125,000 in the Legislative Council for studies and there are already 20 studies requested and only the top ones would be funded.

Rep. Ellerd said not much comes of these studies but he would go along with the request.

Chairman Williams said nothing can be guaranteed as some have had good results and some haven't. He said if he had the time he could tell of a number where the results had been very good.

Rep. Hannah said he couldn't see any problem with SB 197 as it is now. He said it does not address the problem of preference at all but it could help avoid lawsuits.

REP. MILLER said the bill is basically a tool of management to use against the vet. He felt the 15 day limitation was not good.

Rep. Harper suggested striking out the rule making authority part of the bill. He said he can see the concern with it as it is. He said otherwise he doesn't see any problem with the bill.

Rep. Addy said the bill makes one positive step as it sets a time certain in which to file a complaint which is less than two years. Basically you can start collecting back pay from the day you aren't hired or the day you are fired. It could take two years to decide the case and add that to two years to file the claim and you can have back pay for four years. He felt as a lawyer he would be doing his client a disservice by telling them to file early.

Rep. Driscoll asked if any proponent testified without amendments suggested.

Chairman Williams reminded the committee that all the people that came in to testify as proponents were for the bill and offered the amendments secondly. He mentioned the retired air force man who could be given a preference but doesn't need a job.

Rep. Harper said he was trying to find something wrong with the bill. He said if we are going to kill a bill that has gone through the process this far he would like to know the reason. He apologized for having missed the hearing.

Rep. Miller said the bill is only doing something positive for the managers. He asked how many of the vets would know of their rights under this law.

Rep. Farris said notification that he didn't get the job would include this.

Rep. Driscoll questioned if the letter would contain more than a statement that he didn't get the job because someone more qualified got it.

Rep. Harper moved a substitute motion of BE CONCURRED IN.

Rep. Jones moved a motion for all motions pending of TABLING THE BILL.

A roll call vote was taken and the motion carried with 8 voting yes and 7 no (Williams, Harper, Addy, Brown, Farris, Hannah, and Thoft), and 2 absent (Dozier and Seifert).

Rep. Addy moved that a study resolution be submitted. This motion carried unanimously with all present.

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Rep. Ellerd received permission from the chair to express his displeasure of a letter he had received from Joe Geraghty, AFSCME, attacking Rep. Bardanouve.

Meeting adjourned at 2:15 p.m.

Respectfully submitted,


J. MELVIN WILLIAMS

Emelia A. Satre, Sec.