

SENATE BILL 252

IN THE SENATE

January 25, 1979	Introduced and referred to Committee on Labor and Employment Relations.
February 19, 1979	Committee recommend, as amended (majority).
February 20, 1979	Printed and placed on members' desks.
February 21, 1979	Second reading, pass consideration.
February 22, 1979	Second reading, indefinitely postponed.

1 *Senate* BILL NO. *252*  
 2 INTRODUCED BY *Tommy Boy*

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERM  
 5 \*STOPPAGE OF WORK\* AND RELATED TERMS TO THE TERM \*STRIKE OR  
 6 LABOR DISPUTE\* OR RELATED TERMS IN THE WORKERS' COMPENSATION  
 7 SECTION DISQUALIFYING CERTAIN PERSONS FROM BENEFITS;  
 8 AMENDING SECTION 39-51-2305, MCA."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 39-51-2305, MCA, is amended to  
 12 read:

13 "39-51-2305. Disqualification when unemployment due to  
 14 ~~stoppage-of-work~~ strike or labor dispute. (1) Effective  
 15 April 1, 1977, an individual shall be disqualified for  
 16 benefits for any week with respect to which the division  
 17 finds that his total unemployment is due to ~~stoppage-of~~  
 18 ~~work-which-exists-because-of~~ a strike or labor dispute at  
 19 the factory, establishment, or other premises at which he is  
 20 or was last employed, provided that this subsection shall  
 21 not apply if it is shown to the satisfaction of the division  
 22 that:

23 (a) he is not participating in or financing or  
 24 directly interested in the strike or labor dispute ~~which~~  
 25 ~~caused-the-stoppage-of-work~~; and

1 (b) he does not belong to a grade or class of workers  
 2 of which, immediately before the commencement of the  
 3 ~~stoppage~~ strike or labor dispute, there were members  
 4 employed at the premises at which the ~~stoppage~~ strike or  
 5 labor dispute occurs, any of whom are participating in or  
 6 financing or directly interested in the strike or labor  
 7 dispute.

8 (2) If in any case separate branches of work which are  
 9 commonly conducted as separate businesses in separate  
 10 premises are conducted in separate departments of the same  
 11 premises, each such department shall, for the purpose of  
 12 this section, be deemed to be a separate factory,  
 13 establishment, or other premises.

14 (3) If the division, upon investigation, shall find  
 15 that such strike or labor dispute is caused by the failure  
 16 or refusal of any employer to conform to the provisions of  
 17 any law of the state wherein the strike or labor dispute  
 18 occurs or of the United States pertaining to collective  
 19 bargaining, hours, wages, or other conditions of work, such  
 20 strike or labor dispute shall not render the workers  
 21 ineligible for benefits."

-End-

-2- SB 252  
 INTRODUCED BILL

## 1 SENATE BILL NO. 252

2 INTRODUCED BY LOWE, BOYLAN

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERM  
5 'STOPPAGE OF WORK' AND RELATED TERMS TO THE TERM 'STRIKE OR  
6 LABOR DISPUTE' OR RELATED TERMS IN THE WORKERS' UNEMPLOYMENT  
7 COMPENSATION SECTION DISQUALIFYING CERTAIN PERSONS FROM  
8 BENEFITS; AMENDING SECTION 39-51-2305, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Section 39-51-2305, MCA, is amended to  
12 read:

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14 stoppage-of-work strike or labor dispute. (1) Effective  
15 April 1, 1977, an individual shall be disqualified for  
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17 finds that his total unemployment is due to ~~e-stoppage-of~~  
18 ~~work-which-exists-because-of~~ a strike or labor dispute at  
19 the factory, establishment, or other premises at which he is  
20 or was last employed, provided that this subsection shall  
21 not apply if it is shown to the satisfaction of the division  
22 that:

23 (a) he is not participating in or financing or  
24 directly interested in the strike or labor dispute which  
25 ~~caused-the-stoppage-of-work~~; and

1 (b) he does not belong to a grade or class of workers  
2 of which, immediately before the commencement of the  
3 stoppage strike or labor dispute, there were members  
4 employed at the premises at which the stoppage strike or  
5 labor dispute occurs, any of whom are participating in or  
6 financing or directly interested in the strike or labor  
7 dispute.

8 (2) If in any case separate branches of work which are  
9 commonly conducted as separate businesses in separate  
10 premises are conducted in separate departments of the same  
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19 bargaining, hours, wages, or other conditions of work, such  
20 strike or labor dispute shall not render the workers  
21 ineligible for benefits."

-End-