

Senate Bill 101

In The Senate

January 12, 1981

Introduced and referred
to Committee on Labor and
Employment Relations.

April 23, 1981

Died in Committee.

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Smith BILL NO. 101

INTRODUCED BY *Thomas H. Keating* -----

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 39-51-2305, MCA, TO REDEFINE A DISQUALIFICATION FOR UNEMPLOYMENT INSURANCE BENEFITS BY ELIMINATING THE PROVISION THAT A STOPPAGE OF WORK MUST OCCUR IN A LABOR DISPUTE."

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

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

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

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

(b) he does not belong to a grade or class of workers of which, immediately before the commencement of the

stoppage dispute, there were members employed at the premises at which the stoppage dispute occurs, any of whom are participating in or financing or directly interested in the dispute.

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

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

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