

SENATE BILL NO. 34

Introduced: 1/3/83

Referred to Committee on Labor & Employment Relations: 1/3/83
Died in Committee.

SENATE BILL NO. 34

INTRODUCED BY AKLESTAD

A BILL FOR AN ACT ENTITLED: "AN ACT TO REDUCE THE AVAILABILITY OF UNEMPLOYMENT BENEFITS WHEN UNEMPLOYMENT IS DUE TO A STRIKE THAT THE RECIPIENT SUPPORTS; AMENDING SECTION 39-51-2305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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 strike. (1) Effective-April-1-1977, an individual shall be disqualified for benefits for any week with respect to which the department finds that his total unemployment is due to a stoppage-of-work strike 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 department that:

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

(b) he does not belong to a grade or class of workers

of which, immediately before the commencement of the stoppage strike, there were members employed at the premises at which the stoppage strike occurs, any of whom are participating-in supporting 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 department, 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."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-

INTRODUCED BILL