SENATE BILL NO. 136

Introduced: 01/13/83

Referred to Committee on Labor & Employment Relations: 01/13/83

Hearing: 2/3/83

Report: 02/10/83, Do Pass, As Amended.

2nd Reading: 02/14/83

2nd Reading: 2/14/83, Indefinitely Postponed

Bill Killed.

1 Senate BILL NO. 136
2 INTRODUCED BY DESTING

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT BENEFITS TO CLAIMANTS PARTICIPATING IN A LABOR DISPUTE WHEN THE DISPUTE HAS CONTINUED FOR 12 WEEKS; AMENDING SECTION 39-51-2305, MCA."

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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 stoppoge-of-work labor dispute. (1) Effective-April-1v-1977; on An individual shall be disqualified for benefits for-ony week-with-respect-to-which-the-department-finds-that-his total-unemployment-is-due-to-a-stoppoge-of-work-which-exists because-of in the first 12 weeks of unemployment due to 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 or financing or directly interested in the labor dispute which-eaused-the stoppoge-of-work; and
 - (b) he does not belong to a grade or class of workers

of which, immediately before the commencement of the

the stoppoge labor dispute, there were members employed at the

premises at which the stoppoge labor dispute occurs, any of

whom are participating in or financing or directly

interested in the dispute.

- 6 (2) If in any case separate branches of work which are
 7 commonly conducted as separate businesses in separate
 8 premises are conducted in separate departments of the same
 9 premises, each such department shall, for the purpose of
 10 this section, be deemed to be a separate factory,
 11 establishment, or other premises.
- 12 (3) If the departmenty-upon-investigationy-shall-find
 13 that-such labor dispute is caused by the failure or refusal
 14 of any employer to conform to the provisions of any law of
 15 the state wherein the labor dispute occurs or of the United
 16 States pertaining to collective bargaining, hours, wages, or
 17 other conditions of work, such labor dispute shall not
 18 render the workers ineligible for benefits.
- 19 (4) The disqualification period in subsection (1) is 20 in addition to the waiting period prescribed by 39-51-2104.**

-End-

INTRODUCED BILL

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department that:

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2	INTRODUCED BY KEATING
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6	IN A LABOR DISPUTE QNLY WHEN THE DISPUTE DOES NOT RESULT IN
7	A_WOSK_SIGSPAGE_AND HAS CONTINUED FOR 12 WEEKS OR THE
8	DISPUTE_RESULTS_IN_A_WORK_STOPPAGE_THAT_THECLAIMANTSARE
9	NOT DIRECTLY INVOLVED IN; AMENDING SECTION 39-51-2305, MCA."
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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13	read:
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15	stoppage-of-work labor_dispute. (1) Effective-April-ly-1977y
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25	EOR ANY WEEK DE UNEMPLOYMENT THAT IS DUE TO A LABOR DISPUTE

5	directly interested in the labor dispute which-caused-the
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9	of which, immediately before the commencement of the
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12	any of whom are participating in or financing or directly
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15	are commonly conducted as separate businesses in separate
16	premises are conducted in separate departments of the same
17	premises, each such department shall, for the purpose of
18	this section, be deemed to be a separate factory,
19	establishment, or other premises.
20	(3)(4) If the departmentyupon-investigationy-shall
21	find-that-such labor dispute is caused by the failure or
22	refusal of any employer to conform to the provisions of any
23	law of the state wherein the labor dispute occurs or of the
24	United States pertaining to collective bargaining, hours,

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l	not render the workers ineligible for benefits.
2	<pre>fft(5) The disqualification period in subsection [1]</pre>
3	is in addition to the waiting period prescribed by
4	39=51=2104*"

-End-

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