

SENATE BILL NO. 81
INTRODUCED BY AKLESTAD

IN THE SENATE

January 7, 1985	Introduced and referred to Committee on Labor and Employment Relations.
January 30, 1985	Committee recommend Minority Report do pass. Report adopted.
January 31, 1985	Bill printed and placed on members' desks.
February 1, 1985	Second reading, do pass.
February 2, 1985	Considered correctly engrossed.
February 4, 1985	Third reading, passed. Ayes, 26; Noes, 23.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Business and Labor.
March 22, 1985	Committee recommend bill be concurrent in. Report adopted.
March 23, 1985	Second reading, concurred in.
March 26, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

March 26, 1985	Received from House.
March 27, 1985	Sent to enrolling.
	Reported correctly enrolled.

SENATE BILL NO. 81

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A BILL FOR AN ACT ENTITLED: "AN ACT DISQUALIFYING A PERSON FOR UNEMPLOYMENT BENEFITS IF HIS UNEMPLOYMENT RESULTS FROM A STRIKE EXCEPT UNDER CERTAIN CIRCUMSTANCES; 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-17-1977,-an 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 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 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-

APPROVED BY COMMITTEE
ON LABOR & EMPLOYMENT
RELATIONS

MINORITY REPORT ADOPTED

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11 read:

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

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

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

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

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

11 (3) If the department, upon investigation, shall find
12 that such labor dispute is caused by the failure or refusal
13 of any employer to conform to the provisions of any law of
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THIRD READING
SB 81



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