

HOUSE BILL NO. 12

INTRODUCED BY WINSLOW, JACK MOORE,  
SCHULTZ, THOFT, PECK, PATTERSON

IN THE HOUSE

March 25, 1986	Introduced and referred to Committee on Human Services and Aging.
March 27, 1986	Committee recommend bill do pass as amended. Report adopted.  Bill printed and placed on members' desks.
March 28, 1986	Second reading, do pass as amended.  Third reading, passed.  Transmitted to Senate.

IN THE SENATE

March 28, 1986	Introduced and referred to Committee on Labor and Employment Relations.
March 29, 1986	Committee recommend bill be concurred in as amended. Report adopted.  Statement of Intent attached.  On motion, HB 12 be placed on second reading this day.  Second reading, concurred in as amended.

March 29, 1986

Third reading, concurred in.  
Ayes, 44; Noes, 4.

Returned to House with  
amendments and Statement of  
Intent.

IN THE HOUSE

March 29, 1986

Received from Senate.

Second reading, amendments and  
Statement of Intent concurred  
in.

Third reading, amendments and  
Statement of Intent concurred  
in.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 12  
2 INTRODUCED BY Michael M. Krawczyk  
3 Frank 5/1/86

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RECIPIENTS OF  
5 GENERAL RELIEF TO ENROLL IN A STRUCTURED JOB SEARCH,  
6 TRAINING, AND WORK PROGRAM; AMENDING SECTIONS 53-3-303 AND  
7 53-3-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Job search, training, and  
11 work programs. (1) The department of labor and industry  
12 shall initiate, promote, and develop job search, training,  
13 and work programs that will contribute to the employability  
14 of persons receiving general relief under the provisions of  
15 this chapter. These programs must be designed to preserve  
16 and improve the work habits and skills of recipients for  
17 whom jobs are not otherwise immediately available and to  
18 provide training and experience for recipients who lack the  
19 skills required for such employment opportunities as may  
20 become available.

21 (2) In each county with state-assumed welfare  
22 services, the department shall contract with the department  
23 of labor and industry to institute a job search program that  
24 provides able-bodied general relief recipients with the  
25 necessary job-finding skills to seek unsubsidized employment

1 independently. This program must include but not be limited  
2 to:

- 3 (a) self-assessment and occupational counseling;  
4 (b) instruction in completing applications, writing  
5 resumes, and preparing for interviews;  
6 (c) identification of and contact with potential  
7 employers; and  
8 (d) participation in actual job interviews.

9 (3) If the department of labor and industry does not  
10 maintain an employment office in a county with state-assumed  
11 welfare services, it shall institute a job search program at  
12 the nearest employment office in an adjoining county.

13 (4) The department shall provide funds for any  
14 employment office that requires additional staff or  
15 equipment to operate a job search program for able-bodied  
16 general relief recipients.

17 Section 2. Section 53-3-303, MCA, is amended to read:

18 "53-3-303. Recipient to register for suitable  
19 employment and enroll in job search and training. (1) A  
20 recipient of general relief must register for employment  
21 with the department of labor and industry and must accept  
22 available employment within his or her capability. Refusal  
23 to accept such employment will render the recipient  
24 ineligible for further general relief assistance.

25 (2) In a county with state-assumed welfare services, a

recipient of general relief must enroll in a structured job search and training program at the employment office where the recipient is registered for employment. The program must include but is not limited to the following elements:

- (a) assessment and testing;
- (b) an employability plan;
- (c) remedial education or job skills training, if it is called for in the employability plan;
- (d) the job search program provided in [section 1];
- (e) a supervised effort to find employment; and
- (f) work for the county, if available, as provided in 53-3-304.

(3) A recipient who has completed the assessment and testing portions of the program and has developed an employability plan must participate in job search activities for at least 80 hours within a 5-week period. In addition, he or she must spend at least 8 hours a week in a supervised effort to find employment.

(4) A recipient who has completed the job search program provided for in [section 1] must:

- (a) continue to spend at least 8 hours a week in a supervised effort to find employment; and
- (b) for the duration of his or her eligibility for general relief, spend 32 hours a week, as called for in the employability plan, in:

(i) remedial education;

(ii) job skills training; or

(iii) work for the county.

(5) Employment office staff must evaluate each recipient's performance on a biweekly basis and report the performance to the department. No payment may be made to a recipient until the current biweekly performance report has been received by the office responsible for payment."

Section 3. Section 53-3-305, MCA, is amended to read:

"53-3-305. Effect of refusal to work enroll in job search, training, and work programs. Any recipient of general relief who is subject to the provisions of 53-3-303 and 53-3-304 and who without cause refuses to complete the job search and training program or to perform work assigned to him as therein provided shall lose his eligibility for general relief for 1 week for each refusal."

NEW SECTION. Section 4. Codification instruction. Section 1 is intended to be codified as an integral part of Title 53, chapter 3, and the provisions of Title 53, chapter 3, apply to section 1.

NEW SECTION. Section 5. Extension of authority. Any existing authority of the department of labor and industry and the department of social and rehabilitation services to make rules on the subject of the provisions of this act is extended to the provisions of this act.

LC 0011/01

1        NEW SECTION. Section 6. Effective date. This act is  
2        effective July 1, 1986.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB12, Version: as originally introduced.

Description of Proposed Legislation:

An act requiring recipients of general relief to enroll in a structured job search, training, and work program; amending section 53-3-303 and 53-3-305, MCA; and providing an effective date.

Assumptions:

In order to institute the job search, training and work program under this legislation, six (6) separate, year round training facilities must be established. The existing JTPA funded facilities are not large enough to serve the number of recipients residing in the state-assumed counties. It is estimated that 60% of the 1886 general assistance cases in state-assumed counties are able-bodied and eligible for this program. In addition, a mobile unit will be leased from JTPA to serve recipients in Park County. An instructor and an aide will be required in each site. Approximately 15 participants will be enrolled in each three (3) week training program, except for the mobile unit which can only accommodate eight (8) students. The mobile unit will be utilized for approximately five (5) sessions in Park County during each year based on current numbers.

Fiscal Impact:Expenditures:Personal Services

		<u>FY 87</u>	<u>FY 88</u>
Salary and Benefits for Instructor	\$24,538 x 6 sites	\$147,228	\$150,168
Salary and Benefits for Aide	\$16,006 x 6 sites	96,036	98,448
Salary and Benefits Mobile Instructor	5 3-week sessions	5,760	5,867
Salary and Benefits Mobile Aide	5 3-week sessions	3,735	3,816
Salary and Benefits Work Srch Supervisors	6 interviewers x \$21,739	130,434	135,651

Operating Expenses

Travel for Instructor/Aide	\$500 x 6 sites	3,000	3,000
Supplies	\$2,250 x 6 sites	13,500	14,850
Rent (1,200 Sq. Ft. x \$10/Ft.)	\$12,000 x 6 sites	72,000	79,200
Equipment	\$15,000 x 6 sites	90,600	3,000
Other Expenses	\$2,000 x 6 sites	12,000	15,000
Mobile Unit Expenses	Supplies, space rent, lease instructor/aide travel, etc.	7,100	7,500

*David L. Hunter* 3/26/86  
BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

PRIMARY SPONSOR

DATE

Fiscal Note for

HB 12

HB012  
As Introduced  
March 26, 1986  
Page 2

Expenditures Continued

Participant Costs

15 participants in each of 16  
sessions; avg. 55 miles/wk at  
\$.18/mile

FY 87  
\$ 42,768

FY 88  
\$ 42,768

Total General Fund expenditures (General Assistance Benefits)

\$624,161

\$559,268

Revenues:

N/A

Affect On County or Other Local Revenue or Expenditures:

N/A

Long-Range Effects of Proposed Legislation:

Effects are not predictable at this time. But if the program is successful at a ratio of 1 out of 3 participants placed, in gainful employment or disqualification due to non-participation the reduced GA cost would substantially offset the cost of this program.

Technical or Mechanical Defects in Proposed Legislation or Conflicts With Existing Legislation:

N/A

APPROVED BY COMM. ON  
HUMAN SERVICES AND AGING

HOUSE BILL NO. 12

INTRODUCED BY WINSLOW, JACK MOORE,  
SCHULTZ, THOFT, PECK, PATTERSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RECIPIENTS OF  
GENERAL RELIEF TO ENROLL IN A STRUCTURED JOB SEARCH,  
TRAINING, AND WORK PROGRAM; AMENDING SECTIONS 53-3-303 AND  
THROUGH 53-3-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Job search, training, and  
work programs. (1) The department SHALL COOPERATE WITH THE  
DEPARTMENT of labor and industry shall TO initiate, promote,  
and develop job search, training, and work programs that  
will contribute to the employability of persons receiving  
general relief under the provisions of this chapter. These  
programs must be designed to preserve and improve the work  
habits and JOB-FINDING skills of recipients for whom jobs  
are not otherwise immediately available ~~and--to provide~~  
~~training-and-experience-for-recipients-who-lack--the--skills~~  
~~required--for--such--employment--opportunities-as-may-become~~  
available.

(2) in FOR each county with state-assumed welfare  
services, the department shall contract with the department  
of labor and industry OR OTHER DESIGNATED AGENCY to

institute a job search, TRAINING, AND WORK program that  
provides able-bodied general relief recipients with the  
necessary job-finding skills to seek unsubsidized employment  
independently. This program must include but not be limited  
to:

(a) self-assessment and occupational counseling;

(b) instruction in completing applications, writing  
resumes, and preparing for interviews;

(c) identification of and contact with potential  
employers; and

(d) participation in actual job interviews.

~~{3}--if-the-department-of-labor-and-industry--does--not~~  
~~maintain-an-employment-office-in-a-county-with-state-assumed~~  
~~welfare-services,-it-shall-institute-a-job-search-program-at~~  
~~the-nearest-employment-office-in-an-adjoining-county-~~

~~{4}~~{3} The department shall provide funds for any  
employment office that requires additional staff or  
equipment to operate a job search program for able-bodied  
general relief recipients.

Section 2. Section 53-3-303, MCA, is amended to read:

"53-3-303. Recipient to register for suitable  
employment and enroll in job search and training. (1) A  
recipient of general relief must register for employment  
with the department of labor and industry and must accept  
available employment within his or her capability. Refusal



1 to accept such employment will render the recipient  
2 ineligible for further general relief assistance.

3 (2) In a county with state-assumed welfare services, a  
4 recipient of general relief must enroll in a structured job  
5 search and training program at the employment--office--where  
6 the--recipient--is--registered--for--employment AN EMPLOYMENT  
7 OFFICE OR OTHER SITE DESIGNATED BY THE DEPARTMENT. The  
8 program must include but is not limited to the following  
9 elements:

- 10 (a) assessment and testing;
- 11 (b) an employability plan;
- 12 (c) remedial education or job skills training, if it
- 13 is called for in the employability plan;
- 14 (d) the job search program provided in [section 1];
- 15 (e) a supervised effort to find employment; and
- 16 (f) work for the county A PUBLIC AGENCY OR A PRIVATE
- 17 NONPROFIT ORGANIZATION, if available, as provided in
- 18 53-3-304.

19 (3) A recipient who has completed the assessment and  
20 testing portions of the program and has developed an  
21 employability plan must participate in job-search-activities  
22 THE JOB SEARCH PROGRAM PROVIDED FOR IN [SECTION 1] for at  
23 least 80 hours within a 5-week period. In addition, he or  
24 she must spend at least 8 hours a week in a supervised  
25 effort to find employment.

1 (4) A recipient who has completed the job search  
2 program provided for in [section 1] must:

3 (a) continue to spend at least 8 hours a week in a  
4 supervised effort to find employment; and

5 (b) for the duration of his or her eligibility for  
6 general relief, spend 32 hours a week, as called for in the  
7 employability plan, in:

- 8 (i) remedial education;
- 9 (ii) job skills training; or
- 10 (iii) work for the county; A PUBLIC AGENCY OR A PRIVATE
- 11 NONPROFIT ORGANIZATION, AS REQUIRED BY 53-3-304; OR
- 12 (IV) JOB-SEEKING OR OTHER RELATED ACTIVITIES.

13 (5)--Employment--office--staff--must--evaluate--each  
14 recipient's--performance--on-a-biweekly-basis-and-report-the  
15 performance-to-the-department--No-payment-may-be-made--to--a  
16 recipient--until-the-current-biweekly-performance-report-has  
17 been-received-by-the-office-responsible-for-payment."

18 SECTION 3. SECTION 53-3-304, MCA, IS AMENDED TO READ:  
19 "53-3-304. Power to require recipient to perform work.

20 (1) If the--county a public agency or a private nonprofit  
21 organization has work available which a recipient of general  
22 relief is capable of performing or the department of social  
23 and rehabilitation services is required to operate a work  
24 program under the provisions of 53-2-822, then the county  
25 department of public welfare or the department of social and

1 rehabilitation services may require a recipient to perform  
 2 work at the minimum wage or may pay a recipient at the  
 3 prevailing rate of wages paid by that county for similar  
 4 work, to be paid from the county poor fund or state funds,  
 5 in place of granting him general relief.

6 (2) The county department of public welfare or the  
 7 department of social and rehabilitation services, as the  
 8 case may be, shall provide coverage under the Workers'  
 9 Compensation Act for those recipients of general relief  
 10 working under the provisions hereof and may enter into such  
 11 agreements with the division of workers' compensation of the  
 12 department of labor and industry as may be necessary to  
 13 carry out the provisions of this section."

14 Section 4. Section 53-3-305, MCA, is amended to read:

15 "53-3-305. Effect of refusal to work enroll in job  
 16 search, training, and work programs. Any recipient of  
 17 general relief who is subject to the provisions of 53-3-303  
 18 and 53-3-304 and who without cause refuses to complete  
 19 PARTICIPATE IN the job search and training program or to  
 20 perform work assigned to him as therein provided shall lose  
 21 his eligibility for general relief for 4-week ONE-FOURTH OF  
 22 THE MONTHLY BENEFIT AMOUNT for each refusal."

23 NEW SECTION. Section 5. Codification instruction.  
 24 Section 1 is intended to be codified as an integral part of  
 25 Title 53, chapter 3, and the provisions of Title 53, chapter

1 3, apply to section 1.

2 NEW SECTION. Section 6. Extension of authority. Any  
 3 existing authority of the department of labor and industry  
 4 and the department of social and rehabilitation services to  
 5 make rules on the subject of the provisions of this act is  
 6 extended to the provisions of this act.

7 NEW SECTION. Section 7. Effective date. This act is  
 8 effective July 1, 1986.

-End-

HOUSE BILL NO. 12

INTRODUCED BY WINSLOW, JACK MOORE,  
SCHULTZ, THOFT, PECK, PATTERSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RECIPIENTS OF  
GENERAL RELIEF TO ENROLL IN A STRUCTURED JOB SEARCH,  
TRAINING, AND WORK PROGRAM; AMENDING SECTIONS 53-3-303  
53-3-304 AND THROUGH AND 53-3-305, MCA; AND PROVIDING AN  
EFFECTIVE DATE."

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

(Refer to Second Reading Bill)

Strike everything after the enacting clause and insert:

Section 1. Section 53-3-304, MCA, is amended to read:

"53-3-304. Power to require recipient to perform--work  
participate in job search, training, and work programs. (1)  
The department shall cooperate with the department of labor  
and industry and other designated agencies to initiate,  
promote, and develop job search, training, and work programs  
that will contribute to the employability of persons  
receiving general relief under the provisions of this  
chapter. These programs must be designed to preserve and  
improve the work habits and job-finding skills of recipients  
for whom jobs are not otherwise immediately available.

(2) For each county with state-assumed welfare

services, the department shall contract with the department  
of labor and industry or other designated agencies to  
institute a job search, training, and work program that  
provides able-bodied general relief recipients with the  
necessary job-finding skills to seek unsubsidized employment  
independently.

(3) In a county with state-assumed welfare services, a  
recipient of general relief shall enroll in a structured job  
search and training program at an employment office or other  
site designated by the department. The program must include  
but is not limited to the following elements:

(a) assessment and testing;

(b) an employability plan;

(c) remedial education or job skills training, if it  
is called for in the employability plan;

(d) a job readiness and job search program that must  
include but is not limited to:

(i) self-assessment and occupational testing;

(ii) instruction in completing applications, writing  
resumes, and preparing for interviews;

(iii) identification of and contact with potential  
employers; and

(iv) participation in simulated job interviews;

(e) a supervised effort to find employment; and

(f) efforts to address barriers to employment.

(4) In addition to the training required in subsection (3), if--the--county if a public agency or other designated agency has work available which a recipient of general relief is capable of performing or the department of social and rehabilitation services is required to operate a work program under the provisions of 53-2-822, then the county department of public welfare or the department of social and rehabilitation services may require a recipient to perform work at the minimum wage or may pay a recipient at the prevailing rate of wages paid by that county for similar work, to be paid from the county poor fund or state funds, in place of granting him general relief.

(2)(5) The county department of public welfare or the department of social and rehabilitation services, as the case may be, shall provide coverage under the Workers' Compensation Act for those recipients of general relief working under the provisions hereof and may enter into such agreements with the division of workers' compensation of the department of labor and industry as may be necessary to carry out the provisions of this section.

(6) A recipient who has completed the assessment and testing portions of the program and has developed an employability plan shall participate in the job readiness and job search program provided for in subsection (3)(d) for at least 80 hours in any 5-week period and shall spend at

least 8 hours a week in a supervised effort to find employment.

(7) A recipient who has completed the job search program provided for in subsection (3) shall:

(a) continue to spend at least 8 hours a week in a supervised effort to find employment; and

(b) for the duration of his eligibility for general relief, spend 32 hours a week, as called for in the employability plan, in:

(i) remedial education;

(ii) counseling;

(iii) job skills training;

(iv) work for a public agency or other designated agency, as required in subsection (4); or

(v) job-seeking or other related activities."

Section 2. Section 53-3-305, MCA, is amended to read:

"53-3-305. Effect of refusal to work enroll in job search, training, and work programs. Any recipient of general relief who is subject to the provisions of 53-3-303 and 53-3-304 and who without cause refuses to participate in the job search and training program or to perform work assigned to him as therein provided shall lose his eligibility for general relief for 1-week one-fourth of the monthly benefit amount for each refusal."

NEW SECTION. Section 3. Extension of authority. Any

1 existing authority of the department of social and  
2 rehabilitation services and the department of labor and  
3 industry to make rules on the subject of the provisions of  
4 this act is extended to the provisions of this act.

5 NEW SECTION. Section 4. Effective date. This act is  
6 effective July 1, 1986.

-End-

1                   STATEMENT OF INTENT

2                   HOUSE BILL 12

3           Senate Labor and Employment Relations Committee

4  
5           The intention of House Bill 12 is to enable able-bodied  
6 recipients of general relief, in the counties with  
7 state-assumed welfare services, to obtain permanent  
8 employment at a livable wage with at least minimum health  
9 benefits.

REFERENCE BILL  
AS AMENDED *HB 12*

HOUSE BILL NO. 12

INTRODUCED BY WINSLOW, JACK MOORE,  
SCHULTZ, THOFT, PECK, PATTERSON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ABLE-BODIED  
RECIPIENTS OF GENERAL RELIEF TO ENROLL IN A STRUCTURED JOB  
SEARCH, TRAINING, AND WORK PROGRAM; AMENDING SECTIONS  
53-3-303 53-3-304 AND THROUGH AND 53-3-305, MCA; AND  
PROVIDING AN EFFECTIVE DATE."

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

(Refer to Second Reading Bill)

Strike everything after the enacting clause and insert:

Section 1. Section 53-3-304, MCA, is amended to read:

"53-3-304. Power to require recipient to perform-work  
participate in job search, training, and work programs. (1)  
The department shall cooperate with the department of labor  
and industry and other designated agencies to initiate,  
promote, and develop job search, training, and work programs  
that will contribute to the employability of persons  
receiving general relief under the provisions of this  
chapter. These programs must be designed to preserve and  
improve the work habits and job-finding skills of recipients  
for whom jobs are not otherwise immediately available.

(2) For each county with state-assumed welfare

services, the department shall contract with the department  
of labor and industry or other designated agencies to  
institute a job search, training, and work program that  
provides able-bodied general relief recipients with the  
necessary job-finding skills to seek unsubsidized employment  
independently.

(3) In a county with state-assumed welfare services, a  
AN ABLE-BODIED recipient of general relief shall enroll in a  
structured job search and training program at an employment  
office or other site designated by the department. The  
program must include but is not limited to the following  
elements:

(a) assessment and testing;

(b) an employability plan;

(c) remedial education or job skills training, if it  
is called for in the employability plan, MUST PROVIDE AND IF  
IT PROVIDES FOR IMMEDIATE REFERRAL TO AN APPROPRIATE JOB  
TRAINING PARTNERSHIP ACT PROGRAM;

(d) a job readiness and job search program that must  
include but is not limited to:

(i) self-assessment and occupational testing;

(ii) instruction in completing applications, writing  
resumes, and preparing for interviews;

(iii) identification of and contact with potential  
employers; and

1 (iv) participation in simulated job interviews;

2 (e) a supervised effort to find employment; and

3 (f) efforts to address barriers to employment.

4 (4) In addition to the training required in subsection

5 (3), if the county if a public agency or other-designated A  
 6 PRIVATE NONPROFIT agency has work available which a  
 7 recipient of general relief is capable of performing or the  
 8 department of social and rehabilitation services is required  
 9 to operate a work program under the provisions of 53-2-822,  
 10 then the county department of public welfare or the  
 11 department of social and rehabilitation services may require  
 12 a recipient to perform work at the minimum wage or may pay a  
 13 recipient at the prevailing rate of wages paid by IN that  
 14 county BY THAT AGENCY for similar work, to be paid from the  
 15 county poor fund or state funds, in place of granting him  
 16 general relief.

17 (5) NO CURRENTLY EMPLOYED WORKER MAY BE DISPLACED BY  
 18 ANY RECIPIENT (INCLUDING PARTIAL DISPLACEMENT SUCH AS A  
 19 REDUCTION IN THE HOURS OF NONOVERTIME WORK, WAGES, OR  
 20 EMPLOYMENT BENEFITS).

21 (6) NO RECIPIENT MAY BE EMPLOYED WHEN ANY OTHER PERSON  
 22 IS ON LAYOFF FROM THE SAME OR ANY SUBSTANTIALLY EQUIVALENT  
 23 JOB, OR WHEN THE EMPLOYER HAS TERMINATED THE EMPLOYMENT OF  
 24 ANY REGULAR EMPLOYEE OR OTHERWISE REDUCED ITS WORKFORCE WITH  
 25 THE INTENTION OF FILLING THE VACANCY SO CREATED BY HIRING A

1 RECIPIENT WHOSE WAGES ARE SUBSIDIZED UNDER THIS SECTION.

2 +2)+(5)+(7) The county department of public welfare or  
 3 the department of social and rehabilitation services, as the  
 4 case may be, shall provide coverage under the Workers'  
 5 Compensation Act for those recipients of general relief  
 6 working under the provisions hereof and may enter into such  
 7 agreements with the division of workers' compensation of the  
 8 department of labor and industry as may be necessary to  
 9 carry out the provisions of this section.

10 +6)+(8) A recipient who has completed the assessment  
 11 and testing portions of the program and has developed an  
 12 employability plan shall participate in the job readiness  
 13 and job search program provided for in subsection (3)(d) for  
 14 at least 80 hours in any 5-week period and shall spend at  
 15 least 8 hours a week in a supervised effort to find  
 16 employment.

17 +7)+(9) A recipient who has completed the job search  
 18 program provided for in subsection (3) shall:

19 (a) continue to spend at least 8 hours a week in a  
 20 supervised effort to find employment; and

21 (b) for the duration of his eligibility for general  
 22 relief, spend 32 hours a week, as called for in the  
 23 employability plan, in:

24 (i) remedial education;

25 (ii) counseling;



1        (iii) job skills training;  
 2        (iv) work for a public agency or other-designated A  
 3 PRIVATE NONPROFIT agency, as required in subsection (4); or  
 4        (v) job-seeking or other related activities.  
 5        (10) NOTHING IN THIS CHAPTER REQUIRES A RECIPIENT TO  
 6 CONTINUE THE ACTIVITIES REQUIRED BY SUBSECTION (9) FOR  
 7 LONGER THAN 6 MONTHS.  
 8        (11) WHERE A LABOR ORGANIZATION REPRESENTS A  
 9 SUBSTANTIAL NUMBER OF EMPLOYEES WHO ARE ENGAGED IN SIMILAR  
 10 WORK OR TRAINING IN THE AREA WHERE IT IS PROPOSED TO ASSIGN  
 11 THE RECIPIENT TO WORK OR TRAINING, AN OPPORTUNITY MUST BE  
 12 PROVIDED FOR THAT ORGANIZATION TO SUBMIT COMMENTS WITH  
 13 RESPECT TO SUCH PROPOSAL.  
 14        (12) NO WORK PROGRAM MAY IMPAIR EXISTING CONTRACTS FOR  
 15 SERVICES OR COLLECTIVE BARGAINING AGREEMENTS, AND NO WORK  
 16 PROGRAM THAT WOULD BE INCONSISTENT WITH THE TERMS OF A  
 17 COLLECTIVE BARGAINING AGREEMENT MAY BE UNDERTAKEN WITHOUT  
 18 THE WRITTEN CONCURRENCE OF THE LABOR ORGANIZATION AND  
 19 EMPLOYER CONCERNED."

20        Section 2. Section 53-3-305, MCA, is amended to read:  
 21        "53-3-305. Effect of refusal to work enroll in job  
 22 search, training, and work programs. Any recipient of  
 23 general relief who is subject to the provisions of 53-3-303  
 24 and 53-3-304 and who without cause refuses to participate in  
 25 the job search and training program or to perform work

1        assigned to him as therein provided shall lose his  
 2 eligibility--for-general-relief-for 1-week one-fourth-of-the  
 3 ONE-FOURTH OF HIS NEXT monthly benefit amount for each  
 4 refusal."

5        NEW SECTION. Section 3. Extension of authority. Any  
 6 existing authority of the department of social and  
 7 rehabilitation services and the department of labor and  
 8 industry to make rules on the subject of the provisions of  
 9 this act is extended to the provisions of this act.

10        NEW SECTION. Section 4. Effective date. This act is  
 11 effective July 1, 1986.

-End-

## STANDING COMMITTEE REPORT

March 29, 1986

MR. PRESIDENT

We, your committee on Labor and Employment Relations  
having had under consideration House Bill No. 12  
third reading copy ( blue )  
(Senator Bengston) color

### JOB SEARCH AND TRAINING PROGRAMS FOR GENERAL RELIEF RECIPIENTS

Respectfully report as follows: That House Bill No. 12

be amended as follows:

1. Title, line 5.  
Following: "REQUIRING"  
Insert: "ABLE-BODIED"

2. Page 2, line 7.  
Following: "services,"  
Strike: "a"  
Insert: "an able-bodied"

3. Page 2, line 15.  
Following: "plan"  
Insert: ", must provide for immediate referral to an  
appropriate Job Training Partnership Act program"

4. Page 3, line 2.  
Following: "or"  
Strike: "other designated"  
Insert: "a private nonprofit"

5. Page 3, line 10.  
Following: "wages paid"  
Strike: "by"  
Insert: "in"  
Following: "county"  
Insert: "by that agency"

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continued

Chairman.

HB 12

Page 2 of 2  
March 29, 1986

6. Page 3, line 13.  
Following: line 12.  
Insert: "(5) No currently employed worker may be displaced  
by any recipient (including partial displacement such as a  
reduction in the hours of non-overtime work, wages, or  
employment benefits)."

(6) No recipient may be employed when any other person is  
on layoff from the same or any substantially equivalent job, or  
when the employer has terminated the employment of any regular  
employee or otherwise reduced its workforce with the intention  
of filling the vacancy so created by hiring a recipient whose  
wages are subsidized under this section."

Renumber: subsequent subsections

7. Page 4, line 13.  
Following: "or"  
Strike: "other designated"  
Insert: "a private nonprofit"

8. Page 4, line 16.  
Following: line 15  
Insert: "(10) Nothing in this chapter requires a recipient to  
continue the activities required by subsection (9) for longer  
than 6 months."

(11) Where a labor organization represents a substantial  
number of employees who are engaged in similar work or training  
in the area where it is proposed to assign the recipient to work  
or training, an opportunity must be provided for that organization  
to submit comments ~~xx~~ with respect to such proposal.

(12) No work program may impair existing contracts for  
services or collective bargaining agreements, and no work  
program that would be inconsistent with the terms of a collective  
bargaining agreement may be undertaken without the written  
concurrence of the labor organization and employer concerned."

9. Page 4, lines 22 and 23.  
Following: "lose"  
Strike: remainder of line 22 through line 23  
Insert: "one-fourth of his next"

AS AMENDED, BE CONCURRED IN

STATEMENT OF INTENT ATTACHED

Senator J. D. Lynch, Chairman

(OVER)

STATEMENT OF INTENT

RE: HB 12

The intention of House Bill 12 is to enable able-bodied recipients of general relief, in the counties with state-assumed welfare services, to obtain permanent employment at a livable wage with at least minimum health benefits.

# COMMITTEE OF THE WHOLE AMENDMENT

3/29/86

DATE

12:15

TIME

MR. CHAIRMAN: I MOVE TO AMEND \_\_\_\_\_ House Bill

No. 12

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reading copy ( \_\_\_\_\_ ) as follows:  
Color

Amend Senate Employment and Labor Relations Standing  
Committee Report of March 29, 1986, as follows:

1. Amendment No. 3.  
Following: "Insert:"  
Strike: ", must provide"  
Insert: "and if it provides"

HB12.2

KBA  
ADOPT  
REJECT

TOWE