

HOUSE BILL 261

Introduced by Whalen, et al.

1/19	Introduced
1/20	Referred to Labor & Employment Relations
1/20	First Reading
1/20	Fiscal Note Requested
1/27	Fiscal Note Received
1/28	Hearing
1/28	Fiscal Note Printed
2/04	Tabled in Committee

1 House BILL NO. 261
 2 INTRODUCED BY Whalen Jim Monahan
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN
 5 EMPLOYEE MAY BE DENIED UNEMPLOYMENT INSURANCE BENEFITS
 6 BECAUSE OF A STOPPAGE OF WORK; AMENDING SECTION 39-51-2305,
 7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
 8

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

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

11 "39-51-2305. Disqualification when unemployment due--to
 12 strike because of stoppage of work. (1) An individual ~~shall~~
 13 ~~be is~~ disqualified for benefits for any week ~~with-respect-to~~
 14 ~~which the departmen'finds that his-the~~ individual's total
 15 unemployment is ~~due-to because of a strike~~ stoppage of work
 16 which that exists because of a labor dispute at the factory,
 17 establishment, or other premises at which he ~~the individual~~
 18 is or was last employed, ~~7-provided-that-this~~ This subsection
 19 ~~shall does~~ not apply if it is shown to the satisfaction of
 20 the department that an individual:

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

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

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

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

11 (3) If the department, upon investigation, ~~shall--find~~
 12 finds that such the labor dispute is caused by the failure
 13 or refusal of any an employer to conform to the provisions
 14 of any a law of the state wherein where the labor dispute
 15 occurs or of the United States pertaining to collective
 16 bargaining, hours, wages, or other conditions of work, such
 17 the labor dispute ~~shall may~~ not render the workers
 18 ineligible for benefits."

19 NEW SECTION. **Section 2.** Effective date. [This act] is
 20 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0261, as introduced.

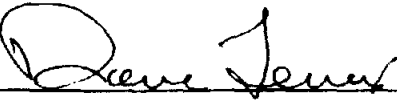
DESCRIPTION OF PROPOSED LEGISLATION: An act providing that an employee may be denied Unemployment Insurance Benefits because of a stoppage of work.


ASSUMPTIONS:

The Department of Labor and Industry can not project the fiscal impact of this proposal because the number of labor disputes, their duration, and number of people involved is unpredictable.

FISCAL IMPACT:

An increase in benefit payments of some unknown amount will be realized. Any increase in benefit payments will eventually result in higher tax rates to all employers during some years.

 1-26-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-27-93
TIMOTHY J. WHALEN, PRIMARY SPONSOR DATE
Fiscal Note for HB0261, as introduced

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