

## Assembly

MINUTES OF MEETING - LABOR AND MANAGEMENT - ASSEMBLY 55th SESSION - MARCH 14 1969

PRESENT: CAPURRO, MAY, LINGENFELTER, MELLO, BRANCH, WILSON

PRESENT LATER: WEBB

ALSO PRESENT: MR. LOU PALEY, MR. G. A. FLETCHER, MR. ROBERT MC ADAMS,  
MR. CLINTON KNOLL, MR. HOWARD GREGG

Chairman Capurro opened the meeting by announcing that it was for the purpose of a re-hearing on Bill AB-352, and for the purpose of allowing Mr. Paley, representing Labor, to express agreements and disagreements and for discussion with the committee. Mr. Capurro explained that the amendments approved in committee had not as yet been adopted, then he called on Mr. Paley to address the committee.

Mr. Paley said that he would make his remarks brief. He said that the bill had been discussed by Labor and Management and that Labor could not support this bill. He further stated that he had discussed this measure at a previous meeting with the Department of Employment Security in a meeting and made known what part or parts of the bill Labor would or would not support and had come away from the meeting with the understanding that the bill as recommended by Labor would be ok'd. but that he now found the committee had passed without his recommendations for changes and therefore he could not support it.

Assemblyman Capurro said that Labor would not take the time to give the committee the opportunity to go into the bill piece by piece and discuss specifically their objections. He then asked Mr. Paley to just what specifically did he object. He replied that he had gone into specific objections with the Department. He said both Labor and Management had made known to them what each agreed or disagreed on and that both had come from the meeting with the understanding that the Department had accepted the decisions and it was his understanding that the Department agreed to his recommendations for changes and that the bill would be passed in that manner. But, now for some reason, it seemed that it had gone beyond that and the entire bill went out of committee with a "do pass" as it was written, therefore, he could not support it.

Assemblyman Capurro told Mr. Paley that he (Paley) had asked him to convene this meeting to hear Labor arguments on the bill and that he (Capurro) had extended the courtesy of having the bill brought back for this discussion.

Assemblyman Lingenfelter then said that if Mr. Paley would not express his exact objections that for himself he would have to go along with the bill as it was written.

Mr. Paley replied that it was too much of a conglomeration of words, phrases etc. and that time had already been spent, in fact about three hours, with the Department of Employment Security making known his ideas, to go into it again here.

Assemblyman Wilson questioned the Chairman as to how the amendments had been reached.

Mr. Capurro said that they had been recommended by the Department and explained that most of the changes referred to changes in language and words in order to avoid duplication of issues, then cited an example of two bills where one was actually included in another.

Mr. Gregg was asked if he wished to express any opinions for management and he said

that at the meeting with the Department - Management found the of no advantage or disadvantage to Management and had not agreed or disagreed with Labor - that they felt any differences they might have on the bill could be worked out between them and that Management would not take a stand against Labor now.

Mr. Lingenfelter remarked that it was his understanding the Department felt that the bill with these changes would allow the Department to operate in fairness to both Labor and Management. He said that he felt some of the things on which Mr. Paley had based his objections Mr. Paley had found as favorable to Management and Mr. Paley stated that he in no way agreed to those things.

Mr. Lingenfelter then told Mr. Paley he was under the impression that Labor had agreed to only the things in the bill that were not hurting Labor. Mr. Paley said that he felt that there were things in it to which neither Labor or Management could agree and that this had been made clear to the Department at the meeting.

Mr. Lingenfelter then asked Mr. Paley what sections exactly, of the bill were hurting Labor. Mr. Paley replied that he had faith in the people in the Department of Employment Security and that they would be fair in their connection with this issue. He said after sitting in discussion for over three hours, the Department had a list of what he had agreed to and his objections and that the committee could get that information from the Department.

Assemblyman May then suggested that the committee get all the facts from all parties and defer action until another meeting.

Mr. Fletcher addressed the committee and said that at the last meeting Mr. Oakes was present, representing Labor and had pointed out things that they were not willing to support and that it was his understanding from Mr. Dondero who was present at that meeting but could not be present today, that after the Department's meeting with Labor and Management, he wanted Mr. Paley to know that he could not in good faith keep continuing holding up of the bill and would leave it up to Labor and Management to do with it as they saw fit.

It was brought to the attention of the committee that there were several bills other than AB-352 which should have the attention of the committee. Mr. Capurro said there were a number of bills in the files on which Mr. Paley and his associates had agreed such as AB-579 and AB-580.

There followed a discussion and report of action on AB-201 having reference to NIC compensation payments. There is an amendment on this bill which would permit payment of compensation after the expiration of NIC payments. It was suggested to hold this bill for further action but it was generally agreed that the amendment would take care of any questions on this and that it should be put on the board today.

AB-492 referring to Apprenticeship Council compensation. There was an inquiry as to who State Labor Council was and it was explained that it was comprised of members appointed by the State Labor Board. It was strongly agreed that this bill should come out of committee as the Council had control of funds and had funds available which at this time it could not release.

AB-644 It was not known what Mr. Paley's opinion was but the bill was favorable to Management. At the meeting in which this bill had come up several problems had arisen.

AB-5 The opinion was that this bill should stay in Committee "Dead". There had been no agreement reached on this issue. The following bills were

specifically mentioned to the committee for action.

AB-73, 74, 75, 76

AB-96

AB-237, 238

AB-433

AB-674

AB-496

AB-291

AB-225

Mr. Wilson then asked Mr. Paley about payments by NIC, and asked further when Labor and Management would get together to see this thing shape up into something beneficial to the real needy cases.

Mr. Paley told him that they were not granted by law and that he felt they are not in a position to take care of all issues. He felt they had done well in getting, in the past few years 10% at one time, 2% another and 2 years ago another 2%. He said that over \$10,000,000 had been spent and it had cost NIC some \$2,000,000. They could not help just one person but had to take all into consideration.

Mr. Wilson said he was tired of seeing people get hurt - in one case a man jumped from a truck and injured himself so that he will never work again, he had four or five kids and he was pressured into accepting a settlement due to bills, expenses, etc. This was not the only case of like nature that Mr. Wilson had heard of. He said the Board will say they will put them in rehabilitation and he suggested that something be started on this rehabilitation.

Mr. Paley then stated that he thot we have one of the best Industrial commissions there is, that right now there was no place to rehabilitate and that he felt the people in the legislature should look into this seriously and he believed that they were on the right track.

Mr. Wilson said he felt that there was something wrong when the people who were in need of it could not be reached.

Mr. Paley offered an example of a miner having no dependents being killed and it cost the Industrial Commission \$650 but in another case it was a person who had children and the amount was the same \$650.00 which Mr. Paley said was small compensation for a man's life and that he felt the dependents and certainly the children should absolutely be taken care of.

Chairman Capurro announced that the issue on benefits would be taken up at a later meeting.

The motion to defer action until more facts were consolidated made by Assemblyman May, with reference to Bill AB-352 was ruled out of order by Chairman Capurro who then asked visitors to leave so that a private Committee meeting could be called and proceeded to call this meeting.

He opened the meeting with the statement that he had the impression that Labor and Management had taken a package of bills from outside and sent them to this Legislative Session thinking that they might get more or less a package okey on them from a quick hurried look at them but he added as long as he was Chairman of this Committee they would look well at each bill, and further if the decision of the Committee did not all

the time agree with Labor and Management it could not be helped. He commented that the Committee was working for a lot of people out there who had sent them to the Legislature and for whom they were working, and further, Labor and Management had nothing to do with getting them there. He then called for some discussion relating to AB-352.

Assemblyman Lingenfelter said that the committee had heard testimony and it seemed to him that most of the objections consisted of words. That they would not tell the committee what was wrong with it.

Mr. Capurro said that the bill had gone out of committee with a "do pass" and that Mr. Paley had begged him to bring it back for discussion and that now he will not say a thing and objects to all of it.

Mr. Wilson asked what Labor would agree on, it seemed that Mr. Paley simply could not make the decision for the committee and that he thought that they must act in this committee.

Mr. Capurro said Mr. Dondero said he would go along with anything that the committee decided.

Mr. Lingenfelter said Management said it doesn't hurt them so they would "go along".

Motion made by Lingenfelter to pass AB352 as amended with a "do pass" recommendation

Motion seconded by Assemblyman Webb

When Chairman called for discussion, Mr. Wilson replied that he hated to see a situation where there was no give or take, it may please Management on somethings but Labor says we don't like any of it and Administration says pass the whole bill.

Mr. Webb, There are corrections for both Labor and Management, I think that Management is not entirely pleased.

Mr. Lingenfelter - I feel that there are things in the bill that has its weak points for both Labor and Management.

Capurro - There are things in this bill which apply to areas which can be used in years to come in negotiating.

Mr. Wilson then asked if the committee would hold the bill until the next meeting as there were some things on which he would like to get an explanation from Mr. Dondero, personally.

Lingenfelter - Could you tell us what the items are.

Wilson - Page 7, line 40 then right on over to page 8 line 4. I want an interpretation of that.

Capurro - This is one that the Department developed.

May - It appears that Mr. Dondero is a little naive, he is trying not to send a complete statement so if action is taken that Mr. Dondero be given a chance to

rework this bill.

It was then brought out that there were things in the bill which corrected issues such as if you were an employee and out of work and started receiving benefits and you received them for some time and then got a job part time and should receive your benefit check, they have the right to go back to the day you started drawing benefits and charge back all monies you have collected according to the original bill, now this issue as covered by amended AB-352 states that they can only go back to the date you started working and is a much better bill for the working man.

Lingenfelter - Paley said this was a hornet's nest but I have heard of no hornet's but by Paley and I have heard of no buzzing but Paley and he wont give you an answer.

Wilson - Now, 14 and 7, especially 14 on inequity, this is where funding comes out. If it drops below \$25,000,000 right now we have employers who will increase to 2.7% and if it goes below - everybody goes to 2.7% if he is below 2.7%. If it is below \$25,000,000 everything is increased proportionately. If he hasn't been 2.7% he goes to 3%. You are going to have less and if you have an employer in a higher bracket he wont like it. The kind with the good rating is penalized. This makes it much more equitable. I had a request for this explanation from Mr. Dondero personally and that is why I asked for deferment. I would like to discuss this with Mr. Dondero.

Lingenfelter - I do not want to be unfair. We have had this bill for this long so I see no need to make a decision today.

Motion to pass AB-352 as amended by Lingenfelter withdrawn by Lingenfelter

Meeting adjourned.