

HB1170_L.005

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

HB09-1170 be amended as follows:

1 Amend printed bill, page 2, line 14, after the period, add "PARTICIPATING
2 IN A STRIKE SHALL INCLUDE REFUSAL TO CROSS THE PICKET LINE.";

3 line 15, after "(2)", insert "(a)";

4 strike lines 22 through 27.

5 Page 3, strike lines 1 through 9 and substitute the following:

6 "NORMAL OPERATIONS. THIS SECTION SHALL NOT APPLY IF THE EMPLOYEE
7 IS NOT PARTICIPATING IN, FINANCING, OR DIRECTLY INTERESTED IN THE
8 STRIKE AS AN INDIVIDUAL OR AS A MEMBER OF THE GRADE OR CLASS
9 INVOLVED IN THE STRIKE.

10 (b) IF THE INDIVIDUAL IS NOT A MEMBER OF A MULTI-EMPLOYER
11 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT, THE
12 INDIVIDUAL SHALL NOT BE DETERMINED INELIGIBLE FOR UNEMPLOYMENT
13 COMPENSATION BENEFITS UNLESS THE LOCKOUT RESULTS FROM THE
14 DEMANDS OF EMPLOYEES, AS DISTINGUISHED FROM AN EFFORT ON THE
15 PART OF THE EMPLOYER TO DEPRIVE THE EMPLOYEES OF SOME
16 ADVANTAGE THAT THEY ALREADY POSSESS.

17 (c) IF THE INDIVIDUAL IS A MEMBER OF A MULTI-EMPLOYER
18 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT THAT
19 WAS NOT INITIATED BECAUSE OF A STRIKE OR LABOR DISPUTE INVOLVING
20 A MULTI-EMPLOYER BARGAINING UNIT MEMBER, THE INDIVIDUAL SHALL
21 NOT BE DETERMINED INELIGIBLE FOR UNEMPLOYMENT COMPENSATION



1 BENEFITS UNLESS THE LOCKOUT RESULTS FROM THE DEMANDS OF
2 EMPLOYEES, AS DISTINGUISHED FROM AN EFFORT ON THE PART OF THE
3 EMPLOYER TO DEPRIVE THE EMPLOYEES OF SOME ADVANTAGE THAT THEY
4 ALREADY POSSESS.

5 (d) IF THE INDIVIDUAL IS A MEMBER OF A MULTI-EMPLOYER
6 BARGAINING UNIT AND THE UNEMPLOYMENT IS DUE TO A LOCKOUT THAT
7 WAS INITIATED BECAUSE OF A STRIKE OR LABOR DISPUTE INVOLVING A
8 MULTI-EMPLOYER BARGAINING UNIT MEMBER, THE INDIVIDUAL SHALL BE
9 INELIGIBLE FOR UNEMPLOYMENT COMPENSATION BENEFITS.

10 (3) IF, IN ANY CASE, SEPARATE BRANCHES OF WORK THAT ARE
11 COMMONLY CONDUCTED AS SEPARATE BUSINESSES IN SEPARATE PREMISES
12 ARE CONDUCTED IN SEPARATE DEPARTMENTS OF THE SAME PREMISES,
13 EACH SUCH DEPARTMENT, FOR THE PURPOSES OF THIS SECTION, SHALL BE
14 DEEMED TO BE A SEPARATE FACTORY, ESTABLISHMENT, OR OTHER
15 PREMISES."

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