

April 16, 1982

LB 115

who was working for a rental company that leased out their equipment, like stereos and so forth. Some of you I have talked to about this incident and I don't mean to dwell on your sympathies on the issue but I think the case illustrates the point. His company asked him and the manager to go out and collect those rental units personally rather than hiring a sheriff to serve a warrant. The warrants were expensive and they wanted to keep the cost down. On this particular unit they went to collect on only \$11 was owed and the guy that had leased the equipment, a stereo set, had called the company headquarters in Texas and told them that if they tried to come out and collect that unit that he would treat the employees as if they were thieves and burglars. The headquarters never informed their agency in Omaha and so my brother and that manager of that company went out to collect that unit. And sure enough the lessee treated my brother like a thief. When he entered the door he faced a sawed-off .22 and was shot in the side of the head. Now the thing that bothers me about this but yet it really doesn't is that he received \$2000 burial rights under workmen's comp and that was it. But I understand why he received the \$2000 and I have no quarter because even though he had a clear case of liability against the company, or his estate did, in order to reconcile these differences of negligence on the part of the employer and the employee, that is what he got. Now let's get down to Nebraska today. It has been three years since we have had an increase in unemployment compensation and if we are raising it only \$10, that amounts to about a \$3 raise per year...workmen's comp, excuse me. Now this body should recognize that we almost passed a major Business and Labor bill this year, LB 765, the only trouble was it was on consent file and several members talked it to death. But Business was basically supportive of that bill even though it included a \$10 increase in unemployment compensation. Believe me there are more people that are unemployed than those that are on disability. So I am saying that when you take a look at today's economy, not necessarily those that are unemployed but those that are injured on the job and that is almost double jeopardy in this type of a situation, I would hope that you would support the reconsideration of my motion. You know, sometimes we can flip the table, so I would just like to have you think of this for a moment. What would it be like if we didn't have workmen's comp and we went back to the way it was a century ago where employee and employer duped it out through litigation, etcetera? I think we are duty bound realizing the limited liability provisions in our workmen's comp laws to also recognize that we have got to keep abreast of inflation. Now a year ago it was explained, wait another year.

11010