

business has chosen to avail itself to those procedures. Those are all termination of employment rights. Those are all termination of employment areas that Senator Hefner's amendment doesn't deal with. This rises to a whole different level and it really...is Senator Chambers wrong? No, it's a difference in philosophy. Senator Chambers is saying, look, if you're going to deny benefits, you have got to interject this higher standard, much higher standard. It isn't a matter of being right or wrong, it's a matter of philosophy. It's a matter of what you think is available and what should be the standard in which to deny benefits. This amendment talks about being connected with an individual's work. Senator Hefner's amendment, it talks about it's got to be connected with their work and it's got to affect the employment relationship. Those are standards that are already in compliance with what the federal laws are going to be. The phrase that Senator Hefner has does not violate the federal law. It's a phrase, I guess, and a policy that I'm comfortable with and I would not choose to interject the higher standard as Senator Chambers would do. Thank you.

SPEAKER BARRETT: Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. Speaker, and members of the body, I think Senator Kristensen explained from the legal perspective what the Chambers amendment might do. And I had a conversation an hour or so ago with Senator Morrissey on the same area and indicated willingness to look into the wording. But when you change...the current procedures, as I understand them for an unemployment hearing, which is where disputed cases go is in administrative law, and the Department of Labor tries to operate those in such a way that it provides to the employee the easiest possible way to have his case heard. If we move to the word "impaired", as I understand the meaning of the word used in labor law, that that requires the services of a physician to give an opinion on the impairment. And it also, with a "substantially" could well give rise to the use of attorneys in this particular case. And who benefits? If we use the words "substantially impaired", quite probably not the employee who thinks he was fired unjustly but rather the employer who is able to afford both the medical testimony and the legal staff to support their opinion that the employee was substantially impaired. Senator Kristensen indicated that what we do has a...what we change in labor law, and certainly in other cases of law, small changes in wording have major changes