

for that purpose. In these circumstances there are employees who will speak the language of the worker. Any such employee can serve the function that was envisioned by the interpreter. But what this amendment does, is instead of using the word interpreter, it tells what that person would do and that person would be a bilingual employee, meaning somebody who speaks the language well enough to explain what needs to be explained to the non-English speaking worker. That employee would be based on the language of this amendment conversant in the identified non-English language and available at the work site for each shift during which a non-English speaking employee is employed to explain and respond to questions regarding the terms, conditions and daily responsibilities of employment and serve as a referral agent to community services for the non-English speaking employees. So any individual that the employer chooses to have in this role would fill it. No need to hire a special or different person for that purpose. In addition to that change, we're going to reinstate the language relative to the 10 percent of non-English speaking employees who speak the same non-English language. That had been stricken in an earlier amendment so that is reinstated to establish the threshold. Senator Landis had wanted to add some language relative to the power to seek an injunction. Earlier when we were discussing the bill, Senator Matzke was successful in stripping out the language relative to civil penalties and administrative fines. He was of the opinion that injunctive relief would help strengthen the bill and create an enforcement mechanism. To make it clear that such injunctive relief is available Senator Landis drafted language which we've added to the bill that does make it clear that injunctive relief can be sought. I don't know whether those amendments have reached your desk yet but while we're waiting for them I want to mention the issue of actively recruit, that term "actively recruit". Senator Bromm, Senator Matzke, Senator Withem, Senator Landis and I and Marsha who works in Senator Withem's office, very competent, highly competent. Were she a member of the Legislature she'd probably make a better Speaker, but I was just seeing if the Speaker was paying attention. We all worked together and we dealt with this issue, but it was so difficult to try to come up with an explanation or a definition that included everything that we decided that since the enforcement is going to be with the Department of Labor, we would allow the Department of Labor to define what actively recruit means. By not being in the statute it can be changed, modified or altered to accommodate whatever develops as a situation that needs to be addressed. So actively