

employee to manager, and that has affected the amount and quality of work, and that at some point you have to recognize reality so that the independence, which I think is a laudable goal, has not produced the kind of performance that a claimant, or somebody who feels that they've been discriminated against, should be entitled to. And even though it is my preference to have that kind of independence, it has not worked well. No matter what your political stripe, it seems to me we have to recognize when things work and when the don't work; and this has not been working. I do think that if we were to continue for, let's say after 886 passed, for a couple or three years and there was no improvement, the Witek amendment would be appropriate. However, I want to give a try in which new management principles and a new fresh start in the relationship of employees to managers occurs to see if we can get what hopefully we always wanted. State EEOC personnel are close to the ground, they have investigative abilities, they have a history of knowledge of the field and knowledge of the law, they assist claimants in a very real way with discovery, with establishing the facts, with helping them make claims. We spend money in this state and we give personnel towards this social goal that at least match federal efforts. I can't think that a claimant will be better off in what I probably would suspect to be an overloaded national EEOC, which given the stripe of funding at the federal level that we see everyday on C-SPAN will probably diminish over time. I don't think claimants will be well served...

SPEAKER WITHEM: One minute.

SENATOR LANDIS: ...to go to a starved national EEOC for some kind of assistance. If, on the other hand, after two or three years there is not an improvement and we do not do better by our claimants, by people who have been discriminated against, if we can't give them real services and legitimate time lines and a rapid turnover of their claims, then the Witek amendment would be appropriate. That time is not now. I come to the conclusion that the system, no matter how well intended, has not achieved its goals well, that this change is an appropriate one to make given the amount of time and effort that we've put into the existing mechanism to see that it works, and it has not worked well. And I'm prepared to strike out in a new area to look for a better handling of claimants' cases than what we have now.