

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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March 15, 1999 LB 608

SENATOR MATZKE: ...reasonable. Is my time up?

PRESIDENT MAURSTAD: One minute, Senator.

SENATOR MATZKE: Oh, one minute. Thank you. It's a very simple bill. It clarifies the misinterpretation of the law and it actually puts the law back to where it's been for the last 30 or 40 years because of this interpretation of the Supreme Court Opinion that the Appeals Tribunal of the Department of Labor felt that they had to follow. It clarifies the law by saying if you're on a paid vacation you're not unemployed. That's all the bill does. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Matzke. Mr. Clerk.

CLERK: I have Business and Labor Committee amendments, Mr. President. (Standing Committee amendment AMO744 is found on page 913 of the Legislative Journal.)

PRESIDENT MAURSTAD: Senator Hilgert, you're recognized on the committee amendments.

SENATOR HILGERT: Thank you, Mr. President, members. The committee amendments, AMO744, does two basic things to LB 608. First, it provides that if the collective bargaining agreement does not cover the use of vacation pay allowance during a plant shutdown, the payment by the employer will be deemed to be wages in the weeks the vacation leave is actually taken. The second thing the amendment does is state that an employee who is not employed during a plant shutdown for vacation purposes shall not be deemed to be on a leave of absence or unavailable for work simply because his or her collective bargaining agents agreed to the vacation. An example of this would be when an employee has not worked long enough to accumulate vacation leave when the plant shutdown occurs. This employee would be eligible for unemployment benefits. It is my understanding that this codifies the policy of the Department of Labor at the present time. Again, there's two parts to the amendment. The first only is when covered under collective bargaining agreements; the second part is if you don't have vacation pay accrued, if you don't have vacation time accrued, then you are eligible for