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PRESIDENT MAURSTAD: Senator Matzke.

SENATOR MATZKE: (Microphone not activated immediately.) ...law and I don't know how to respond to that question.

SENATOR BEUTLER: I mean my...my...I'm not an expert either, but my reaction would be of course it could not be deducted, they've already earned that overtime. And, by the same token, I would argue they've already earned that vacation time and it ought not to be deducted.

SENATOR MATZKE: I think the policy decision and, if you'll permit me to get into a policy discussion, if you permit employees to claim both unemployment compensation and paid vacation at the same time, the risk is that these court holdings will be expanded to cover the Main Street entrepreneur who runs a clothing store or a grocery store and has five or ten employees, and what that employer is going to say is that if the law is so peculiar as to allow you to claim unemployment compensation at the same time you're being paid a full vacation pay, that those employers will simply say from now on we will not give anybody paid vacations. That's the real risk in the present situation and that's the policy concern that drives this bill, is that this could lead to tremendous discord between employers and employees in Nebraska because employers are going to say if you're going to double-dip I want you to understand when I hire you, you can have two weeks vacation but you won't get paid for it because you're going to have to get your pay or your remuneration from the Unemployment Compensation Fund. And, of course, that will have the disadvantage in costing employers more for their contribution so they will have less funds available for remuneration for...

PRESIDENT MAURSTAD: One minute.

SENATOR MATZKE: ...employees. So there is a real downside if you permit people to draw both at the same time. Now, I don't know if that policy concern meets with your objection or not, but I see a very, very difficult time in Nebraska unless this misinterpretation is corrected. And all this bill does is put the law back to where it's been for 40 years and this is acknowledged in the Department of Labor Appeals Tribunal's