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It is really a recommendation when it comes out of there.

SENATOR MARVEL: Okay, that is my understanding from some experience that the small claims court does not do too much for the individual because there have been some people I have been involved with in other matters who have received a favorable decision from the small claims court. The people they were suing chose not to abide by the decisions of the small claims court and, therefore, they had to go on and hire a lawyer if they were going to get anything done.

SENATOR BURROWS: Correct.

SENATOR MARVEL: Now, I guess, I would like to address to you three or four questions that are in my mind as the result of the discussion this morning that somebody needs to answer and I guess I would also say, Mr. President, it is a challenge to try to talk in here but I have got a loud enough voice I will continue. I would like to know, Senator Burrows, some time along the line, what is the specific muscle that is given the Department of Labor to carry out the provision of legislative bill 811. I am not impressed with the Department of Labor's activities as far as the administration of the unemployment compensation laws. It is my opinion that they are at fault in the fact that we have the mess that we have today in the area of unemployment compensation. Now, so I would like to know what is...you see, I am interested in a balance. If you have to give some muscle to the Department of Labor to protect the employee, what is the muscle you are giving? What additional authority are you going to give the Department of Labor to gain benefits for the employee who at times has problems in this particular area and I guess along with this I need to know what the particular protection, at the moment, is for the employee? I haven't found this information. I have tried to listen to the discussion ever since I asked the question and I think the balance is the key. If we are going to overstaff the Department of Labor, if this is a gimmick to get more staff or more power for the Department of Labor and it is not commensurate with the benefits that the employees need, then I think the bill is top heavy one way. Now this hasn't been answered. I don't know if you can answer the question but some place along the line I need this type of answer. Thank you, Mr. President.

SENATOR BURROWS: The main tool, in answer to this question, the main tool is the \$500 civil assessment that can be assessed by the Department of Labor against an employer who has not lived up to this bill, who has not paid his employee. After a complaint by an employee, then the Department of Labor is set up to investigate whether it is a valid complaint or whether it isn't. His first step is to talk to the employer to find out whether it is a disputed wage claim or not. Now I would like to remind, the \$500 civil assessment is a substantial penalty clause I feel. However, this is offset against even potentially a \$1,000 unpaid labor bill, and at that