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Hoagland in answering the question maybe you could also explain to the Legislature the alternatives that a person has, and I think he does have alternatives with regard to filing under state law or filing under federal law, and what I would like to know, I guess, is if there is truly a difference in the interpretation of the word intent under the two laws, have we seen a result where people have favored the federal law and have gone to the... or federal redress, or have they continued to come to the state despite this apparent discrepancy? Or can you just briefly describe what the situation is in that regard?

PRESIDENT LUEDTKE: Senator Hoagland, do you wish...

SENATOR HOAGLAND: I represented clients in three or four cases in this area, Mr. Beutler...Senator Beutler, and the way that the statutes currently work is under the federal law someone is required to file first in the Nebraska... with the local Nebraska state Equal Opportunity Commission, and the federal commission will not take action on the case until the state commission has resolved the issues. Now ninety percent of the time the federal commission will simply adopt the findings of the state commission, but where a state commission exists they won't act without a complaint first going to the state commission. Now one of the essential problems that employers face in this area is that it's very much to the employer's advantage to have the state commission be able to apply the same standards the federal commission does, because then if the employer wins in the state commission he automatically wins in the federal commission. In virtually all the cases...

PRESIDENT LUEDTKE: One minute on Senator Beutler's time.

SENATOR HOAGLAND: Okay. Well maybe I should...let me just finish this explanation.

SENATOR BEUTLER: Go ahead, please. Go ahead.

SENATOR HOAGLAND: And then I can yield some of my time back to you. In virtually all the cases I have had there has been a dismissal at the state level, and the federal commission has accepted that dismissal. Now the problem we have here is if the state law is more narrowly construed than the federal law as it is in Nebraska by virtue of the restrictive construction of intent, why then the fact that an employer wins at the state level isn't going to guarantee that he wins at the federal level because there is a different standard. So he has to relitigate the case