

that interpret that definition of supervisor. Under this definition you would purportedly have that case law but, in fact, you wouldn't because this is a definition that goes beyond. It is different, completely different than the NLRB definition. For example, there are twelve, as I understand it there are twelve standards and any one of these under NLRB definition and case law qualifies one to fit in that category. Under this definition that is in the bill I don't know what it means. I think it might mean two, it might mean five, it might mean ten of the twelve are required. I am sure you will get into this deeper as we go along. I repeat, it is a complicated subject. But what I am telling you is that the definition is clearly not what it is purported to be, that if they wish to go back to the NLRB, NLRA definition, I would support that amendment and reluctantly I would support the bill and I think most other people would, again reluctantly. But that was offered, it was refused. I think in all honesty you have no choice now but to reject the bill in its entirety. You have been offered...certainly those who opposed the bill have offered every chance for a reasonable compromise and compromise really was how this bill moved off General File. It was under the purported belief that "compromise had been reached and, in fact, that this definition was identical to the NLRB definition." So with that said, I would make one more attempt and say, Senator Wesely, at least give it a second thought. If you would go strictly, strictly with that NLRB definition, I would still back off the kill motion and would still agree to support the bill as amended.

SPEAKER NICHOL PRESIDING

SPEAKER NICHOL: Senators Chambers, Wesely and Morehead. Senator Chambers first.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, not having been a party to any of the negotiations or discussions or compromises on this bill, I am going to give my point of view about the matter. First of all, I am opposed to Senator DeCamp's kill motion. I don't know whether Senator DeCamp has had to work in a setting where there were supervisors and persons who were supervised, but their interests, as everybody knows, are not the same. A person who is going to discipline cannot be a member of the group who is going to bargain for his or her welfare because that puts him or her in a compromise