

LEGISLATIVE BILL 1363

Approved by the Governor April 10, 2000

Introduced by Connealy, 16; Bourne, 8; Bromm, 23; Chambers, 11; Cudaback, 36; Dierks, 40; Hilgert, 7; Jensen, 20; Kiel, 9; D. Pederson, 42; Preister, 5; Price, 26; Robak, 22; Smith, 48; Stuhr, 24; Suttle, 10; Tyson, 19; Aguilar, 35

AN ACT relating to labor; to create the Task Force on the Productive Integration of the Immigrant Workforce Population; to provide for a Meatpacking Industry Worker Rights Coordinator; to provide powers and duties; to create a fund; and to provide a termination date.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The Task Force on the Productive Integration of the Immigrant Workforce Population is created. The task force shall be appointed by September 1, 2000. The task force members shall have knowledge and experience in the area of immigration. The following members shall be appointed by the director of the Commission on Mexican-Americans:

- (a) A representative in the field of immigration law;
- (b) A representative in the field of health care;
- (c) Two representatives of secondary education;
- (d) Two representatives of labor unions;
- (e) A representative of housing;
- (f) A representative of the Commission on Mexican-Americans;
- (g) A representative of the Equal Opportunity Commission; and
- (h) Two representatives from a community service organization.

(2) The task force shall include the following members appointed by the Governor:

- (a) One representative to broadly represent the livestock slaughtering, cattle, pork, and manufacturing industries;
- (b) One representative to represent the Department of Health and Human Services; and
- (c) One representative to represent the Department of Labor.

(3) The task force shall also include two members of the Legislature appointed by the chairperson of the Executive Board of the Legislative Council.

Sec. 2. (1) The Task Force on the Productive Integration of the Immigrant Workforce Population shall investigate current statutes and practices of the state and local government regarding the access and use of human services provided to the immigrant workforce in Nebraska including, but not be limited to: Education, housing, transportation, justice system, and health services.

(2) The task force shall conduct a study of the immigrant workforce in Nebraska. The study shall:

(a) Assess the impact that integration of immigrant workers into communities is having on the delivery of human services. Services to be examined and studied shall include, but are not limited to, services funded by the state and counties including education, housing, transportation, justice system, and health services;

(b) Identify the role of the state in assisting immigrant workers as they integrate into local communities and the Nebraska labor force;

(c) Assess the impact federal enforcement programs have on the operation of livestock slaughtering, cattle, pork, and manufacturing industries and the economy of the state; and

(d) Identify the best practices in the area of immigrant worker integration into communities and access to human services for statewide dissemination and sharing.

(3) The task force may hire a consultant or consultants to design the study, conduct the research, and provide analysis of the results. The task force may gather information from interested parties through public hearings and other appropriate means to assure ample opportunities for outside input. Members shall be reimbursed for their actual and necessary expenses incurred while serving as a member of the task force as provided in sections 81-1174 to 81-1177. The task force shall issue a final report to the Legislature and Governor on or before August 31, 2001.

(4) The director of the Commission on Mexican-Americans shall select a chairperson from the members of the task force. The task force may establish such subcommittees and working groups as necessary and appropriate to advise the task force.

(5) It is the intent of the Legislature that twenty-five thousand dollars be appropriated for the investigation and study conducted by the task force.

(6) For administrative and budgetary purposes, the task force shall be within the Commission on Mexican-Americans, and the commission shall provide the task force with administrative support as requested by the task force.

Sec. 3. The Commission on Mexican-Americans Cash Fund is created. The Commission on Mexican-Americans shall use the fund for commission functions described in sections 81-8,262 to 81-8,271 and sections 1 and 2 of this act. Money credited to the fund shall include any monetary gifts, grants, and donations. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 4. (1) The position of Meatpacking Industry Worker Rights Coordinator is established within the Department of Labor. The coordinator shall be appointed by the Governor.

(2) The duties of the coordinator shall be to inspect and review the practices and procedures of meatpacking operations in the State of Nebraska as they relate to the provisions of the Governor's Nebraska Meatpacking Industry Workers Bill of Rights, which rights are outlined as follows:

- (a) The right to organize;
- (b) The right to a safe workplace;
- (c) The right to adequate facilities and the opportunity to use

them;

- (d) The right to complete information;
- (e) The right to understand the information provided;
- (f) The right to existing state and federal benefits and rights;
- (g) The right to be free from discrimination;
- (h) The right to continuing training including supervisor's

training;

- (i) The right to compensation for work performed; and
- (j) The right to seek state help.

(3) The coordinator and his or her designated representatives shall have access to all meatpacking operations in the State of Nebraska at any time meatpacking products are being processed and industry workers are on the job.

(4) Necessary office space, furniture, equipment, and supplies as well as necessary assistance for the coordinator shall be provided by the department.

(5) Preference shall be given to applicants for the coordinator position who are fluent in the Spanish language.

(6) The coordinator shall annually, on or before December 1, submit a report to the members of the Legislature and the Governor regarding any recommended actions the coordinator deems necessary or appropriate to provide for the fair treatment of workers in the meatpacking industry.

(7) For purposes of this section:

(a) Meatpacking operations means a business in which slaughtering, butchering, meat canning, meat packing, meat manufacturing, poultry canning, poultry packing, poultry manufacturing, pet feed manufacturing, processing of meatpacking products, or rendering is carried on; and

(b) Meatpacking products include livestock products and poultry products as such terms are defined in section 54-1902.

(8) This section terminates on June 30, 2004.