

Approved Monday, March 09, 1987

Date

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND SMALL BUSINESS

The meeting was called to order by Senator Dan Thiessen at  
Chairperson

1:30 ~~am~~/p.m. on Monday, March 2, 19<sup>87</sup> in room 527-S of the Capitol.

All members were present except:

Senator Eric Yost

Committee staff present:

Jerry Ann Donaldson, Research Department

Gordon Self, Revisor's Office

Marion Anzek, Committee Secretary

Conferees appearing before the committee:

Bill Morrissey, Director-Workers Compensation, KS Dept. of Human Resources

Bill Clawson, Chief of Benefits, KS Dept. of Human Resources

Wayne Michaels, AFL-CIO

Chairman Thiessen called the meeting to order at 1:30 p.m.

Senator Gordon moved to approve the minutes of February 24, 1987, seconded by Senator Daniels, Motion to approve carried.

Chairman Thiessen called attention to SB341 and called upon Bill Morrissey, to review the bill with the committee members.

SB341: an act concerning workers' compensation; relating to judicial review and compensation pending review.

Bill Morrissey told committee members, that on page 2 of the bill, we have stricken the language on lines 47 through 57. The present law, compensation payments are not payable until after a decision by the court, and that period of time, depending upon the number of cases that we have to hear, on 1st appeals can run from 2 to 5 months. During that period of time, there is no compensation payable.

The new language on lines 57 through 64, provides that compensation is payable when awarded by an administrative law judge.

Questions regarding the bill by committee members to Mr. Morrissey, included How many awards are changed, but not totally reversed, and if totally reversed, how many? What over-all affect would this have on the bottom line of over-all cost to Workers' Compensation, and will it effect the rates to the industry employer? Could the employee get unemployment compensation, during that time?

Bill Morrissey said 20 to 25% are changed in some respect, but not totally reversed, but if totally reversed maybe 5%. It would not affect the amount of the draw, they would just draw sooner. If it is reversed, the employer is reimbursed by the workers' compensation fund, and that portion is funded by assessment receipts, that much of it would be a cost to the employer. It is possible, and employee could draw unemployment, and it is possible he could have been released to turn to work, but still entitled to compensation per permanent injury.

Chairman Thiessen asked Mr. Morrissey if he could get some estimate figures on total reversals, at the directors level and also the district court level.

Mr. Morrissey said he would try to have some figures by our next meeting on Tuesday, March 3, 1987.

Senator Thiessen turned attention to SB342:concerning the employment security act;relating to disqualification for benefits.

Bill Clawson This bill is the result of questions that have been raised in

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LABOR, INDUSTRY AND SMALL BUSINESS,  
room 527-S, Statehouse, at 1:30 ~~a.m.~~ p.m. on Monday, March 2, 1987

the last 3 or 4 years regarding people that work for short time periods, including our students that go back to school and come up with unemployment Claims. This bill includes students, that while they are in school, they are disqualified, and they are also disqualified while they are on vacation, within the academic year.

This would not include those individuals who are employed full time, school attendance is secondary, if the individuals were picking up college credits, while working full time. Also, individuals that are in approved training, this would be under the KS Employment Security Law or under the Trade Act Law.

Senator Kerr asked if this bill would apply to School bus drivers.

Mr. Clawson said, there is a section dealing with employees, who are driving buses. It would not apply, unless they are working for the educational institution.

Wayne Michaels said he was representing the AFL-CIO and they have no position on the bill.

Mr. Michaels said he had visited with the House majority leaders, and some of these things, they are going to recommend interim study, on part time employees. Our recommendation would be that we be a part of that study, because there are so many different areas, as far as part time employees are concerned.

Senator Morris made a motion to recommend the bill for interim study, seconded by Senator Feleciano. The motion carried.

The meeting adjourned at 2:13 p.m.

