

SENATE COMMITTEE ON LABOR AND GOVERNMENT OPERATIONS

January 25, 1993                      Hearing Room B 8:00 a.m.                      Tapes 3 - 5  
MEMBERS PRESENT: Senator Tricia Smith, Chair , Senator Grattan  
Kerans, Vice Chair Senator Wes Cooley Senator Peg Jolin  
ABSENT: Senator Paul Phillips STAFF PRESENT:        Joan Van Almen,  
Committee Counsel Stephanie Holmes, Committee Research Joan Green,  
Committee Assistant MEASURES HEARD:                Informational meeting

WITNESSES:            Mary Wendy Roberts, Commissioner, Bureau of Labor and  
Industries Paul Tiffany, Administrator, Wage and Hour Division

These minutes contain materials which paraphrase and/or summarize  
statements made during this session. Only text enclosed in quotation  
marks report a speaker's exact words. For complete contents of the  
proceedings, please refer to the tapes.

TAPE 1! SIDE A

006 Chair Smith: Meeting called to order at 9:03 a.m. 012 Mary Wendy  
Roberts, Commissioner, Bureau of Labor and Industries: Introduces her  
staff. Presents overview on the Bureau of Labor and Industries, Exhibit  
A.

146 Roberts: Continues with presentation, Exhibit A.

217 Chair Smith: Is there a bill to extend the life of the fund?

220 Roberts: HB 2414. Continues with presentation, Exhibit A.

273 Chair Smith: Do you have the ability to assess civil monetary  
penalties?

275 Roberts: Responds.

301 Sen. Cooley: Is there a system to police these individuals in some  
way?

310 Roberts: Responds.                      ~                      . 389 Chair Smith: What is the  
liability of the farmer in this sort of situation? Senate Commhtee on  
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396 Roberts: Responds.

409 Joan Van Almen, Counsel: Is there any federal oversight regarding  
investigations that might be related to the RICO statutes?

422 Roberts: Responds. 443 Paul Tiffany, Administrator, Wage and  
Hour Division: We are dealing with civil statutes not criminal.

TAPE 4, SIDE A

027 Roberts: Describes scenarios encountered.

050 Chair Smith: Are people aware that you are there to help?

054 Roberts: Responds.

055 Sen. Cooley: How many labor contractors does the state license?

057 Roberts: Responds. 058 Sen. Cooley: How many farm worker camp  
operators do we have approximately?

059 Roberts: Responds.

068 Chair Smith: How many investigators are there?

070 Roberts: Responds. Continues with overview, Exhibit A.

117 Chair Smith: Is your division involved in any oversight program as to how work hours impact student's school work and how employers monitor this situation?

196 Roberts: Responds.

226 Chair Smith: Is there a maximum number of hours students can work?

234 Tiffany: Responds.

243 Van Almen: What is the most frequent violation in this area?

247 Roberts: Responds.

290 Chair Smith: Are the hour requirements statute or administrative?

293 Roberts: Rule.

306 Sen. Jolin: Who applies for a work permit?

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316 Roberts: Responds. 333 Sen. Jolin: What ages must apply for work permits? 339 Roberts: Responds. 343 Sen. Jolin: Requests the number of hours each age group can work and how working around/with equipment factors into those various age groups. 350 Roberts: Responds. 375 Chair Smith: Are there restrictions placed on minors working in the family business? 380 Roberts: Responds. 419 Sen. Kerans: Concurs with Ms. Robert's concerns with the void in this area. We will hear this same sort of story when we get to Workers' Compensation issues. TAPE 3, SIDE B 015 Roberts: We have had pressure not to regulate in this area. Continues with overview, Exhibit A. 075 Sen. Kerans: How many of the positions that will be affected by the downsizing are other funded and how many are general fund supported? 083 Roberts: Responds. 085 Sen. Kerans: Are you making any reductions in veterans, job corps and/or civil rights. 088 Roberts: Responds. 089 Sen. Kerans: Are you making any reductions in these areas? 090 Roberts: Responds. 091 Sen. Kerans: The net result is that a false economy is being offered to people that are other funded and facing increasing caseloads and expanding work in order to justify the mechanism of downsizing, correct? 097 Roberts: Yes. 103 Sen. Kerans: I would like all of the other funded positions which are being eliminated identified. 105 Chair Smith: Also requests an analysis of the impact of the downsizing. 112 Roberts: Refers committee to the Compliance/Audit page, Wage and Hour Division, Exhibit A to show effectiveness of the program.

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130 Sen. Cooley: How many people are in the audit section that you had to phase out?

132 Roberts: Responds. Continues with overview, Exhibit A. 306 Van Almen: Do you have a program that helps employers deal with these issues, when they get to this stage?

318 Roberts: Responds. Continues with overview, Exhibit A. 382 Chair Smith: Has there been discussion with the business community about training employers/employees about harassment and discrimination issues?

TAPE 4. SIDE B

002 Roberts: Responds.

034 Chair Smith: It would seem more cost effective to me for a business to invest in training rather than defending a complaint.

041 Roberts: Responds. Continues with overview, Exhibit A.

073 Sen. Kerans: Are you charged with violation of the statute which says it is unlawful to discriminate against an injured worker, as a result of a previous claim? Also are you aware that legislation has been introduced to prevent the marketing of claims files? 075Roberts: Responds. 092 Sen. Cooley: Are there individuals that continually abuse the system?

097 Roberts: Yes.

101 Sen. Cooley: How do you suggest we protect the public from these individuals?

106 Roberts: Responds.

138 Sen. Kerans: Responds to Senator Cooley's question.

157 Roberts: Continues with overview, Exhibit A.

222 Chair Smith: How will you interact with the Governor's proposed Human Rights Commission?

228 Roberts: Responds. Continues with overview, Exhibit A.

403 Sen. Jolin: Will the bill grant full protection to those with mental and/or physical disability?

408 Roberts: Responds!

TAPE 5, SIDE A

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038 Roberts: Continues with overview, Exhibit A. 109 Meeting adjourned at 11:05 a.m. Submitted by: Reviewed by:/ Joan Green Joan Van Almen Assistant Counsel EXHIBIT LOG: A - Testimony

- Roberts - 85 pages