

Assembly

LABOR AND MANAGEMENT COMMITTEE MINUTES

360

APRIL 12, 1973

MEMBERS PRESENT: Chairman Banner, Mrs. Brookman, Messrs. McNeel
Bickerstaff, and Capurro

MEMBERS ABSENT: Mr. Ullom and Mr. Barengo

GUEST: See Attached List

Chairman Banner called the meeting to order for the purpose of hearing testimony on AB 945 which repeals Nevada's "right to work" laws.

Mr. McNeel began by stating that he had sponsored this bill because he felt that this so called "right to work" law was discriminatory to the working people of the State of Nevada who have chosen to earn their living by working with their hands. He went on to say that he felt that the law was unnecessary and most of the other states have repealed or are repealing such laws.

Mr. McNeel then presented the committee copies of the statutes which would be repealed should this bill be passed. See Attachment I.

Lou Paley representing the AFL-CIO then stated that he would like to ask a favor of the committee. He asked the committee to defer hearing this bill until such time as AB 956, permitting "union shops" in Nevada, could be posted for hearing and hear these two bills in conjunction with one another. He asked for that hearing at the convenience of the committee.

Mr. Capurro then moved to defer this hearing until such time as both bills can be heard. Mrs. Brookman seconded the motion. Those voting for this motion were Mr. Capurro, Mrs. Brookman and Mr. Bickerstaff. Mr. McNeel voted against the motion and Mr. Banner did not vote. The motion carried.

Mr. McNeel then stated that he considered this other bill a very watered down version of the right to work bill and found it hard to believe that this bill would be the one that Mr. Paley would support. He said that he would continue to support his bill and let it go at that.

Mr. Capurro moved to adjourn the meeting and Mr. Bickerstaff seconded the motion. Chairman Banner adjourned the meeting.

Respectfully submitted,

Sandee Gagnier,
Assembly Attache

employer, a truthful statement of the reason for such leaving of the service or discharge of such employee, nor shall subsections 2 and 3 be construed to prevent any employer from giving any employee or former employee any statement with reference to any meritorious services which the employee may have rendered to such employer. The employer shall supply statements as provided in this subsection upon demand from the employee, but no such statement shall be required unless the employee shall have been in service for a period of not less than 60 days. Only one such statement shall be issued to such employee.

[1911 C&P § 515; RL § 6780; NCL § 10462] + [1911 C&P § 516; RL § 6781; NCL § 10463] + [1911 C&P § 517; A 1915, 275; 1919 RL § 6782; NCL § 10464]—(NRS A 1967, 635)

613.220 Assembling, cooperation of employees for purpose of securing wage increases unrestricted. No part of this chapter shall be construed to restrict or prohibit the orderly and peaceable assembling or cooperation of persons employed in any profession, trade or handicraft for the purpose of securing an advance in the rate of wages or compensation, or for the maintenance of such rate.

[1911 C&P § 536; RL § 6801; NCL § 10482]

"RIGHT TO WORK"

613.230 "Labor organization" defined. As used in NRS 613.230 to 613.300, inclusive, the term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or other conditions of employment.

[1:1:1953]

613.240 "Person" defined. As used in NRS 613.230 to 613.300, inclusive, the word "person" includes a corporation, association, company, firm or labor organization, as well as a natural person.

[8:1:1953]

613.250 Agreements prohibiting employment because of nonmembership in labor organization prohibited. No person shall be denied the opportunity to obtain or retain employment because of nonmembership in a labor organization, or shall the state, or any subdivision thereof or any corporation, individual or association of any kind enter into any agreement, written or oral, which excludes any person from employment

or continuation of employment because of nonmembership in a labor organization.

[2:1:1953]

613.260 Certain contracts declared illegal and void. Any act or any provision in any agreement which is in violation of NRS 613.230 to 613.300, inclusive, shall be illegal and void. Any strike or picketing to force or induce any employer to make an agreement in writing or orally in violation of NRS 613.230 to 613.300, inclusive, shall be for an illegal purpose.

[3:1:1953]

613.270 Compelling person to join a labor organization or to strike against his will or to leave his employment prohibited. It shall be unlawful for any employee, labor organization, or officer, agent or member thereof to compel or attempt to compel any person to join any labor organization or to strike against his will or to leave his employment by any threatened or actual interference with his person, immediate family or property.

[4:1:1953]

613.280 Conspiracies to violate NRS 613.230 to 613.300 prohibited. Any combination or conspiracy by two or more persons to cause the discharge of any person or to cause him to be denied employment because he is not a member of a labor organization, by inducing or attempting to induce any other person to refuse to work with such person, shall be illegal.

[5:1:1953]

613.290 Liability for damages. Any person who violates any provision of NRS 613.230 to 613.300, inclusive, or who enters into any agreement containing a provision declared illegal by NRS 613.230 to 613.300, inclusive, or who shall bring about the discharge or the denial of employment of any person because of nonmembership in a labor organization shall be liable to the person injured as a result of such act or provision and may be sued therefor, and in any such action any labor organization, subdivision or local thereof shall be held to be bound by the acts of its duly authorized agents acting within the scope of their authority and may sue or be sued in its common name.

[6:1:1953]

613.300 Injunctive relief. Any person injured or threatened with injury by an act declared illegal by NRS 613.230 to 613.300, inclusive, shall, notwithstanding any other provision of the law to the contrary, be entitled to injunctive relief therefrom.

[7:1:1953]

GUEST REGISTER

DATE: April 12, 1973

NAME	REPRESENTING
<i>James J. Beutler</i>	<i>Carpenters Local #11</i> <i>NORTHEAST NEVADA</i>
<i>John A. McKomas</i>	<i>Building Trades Council</i>
<i>June Burns</i>	<i>IBEW Local 2247</i>
<i>James Smith</i>	_____
<i>Sandy Higgins</i>	_____
<i>Velma Bishop</i>	
<i>Robbins (A Hill)</i>	<i>NEVADA RESORT ASSOC.</i>
<i>Jim Smith</i>	<i>Interim</i>
<i>Art H. Roe</i>	<i>Teamsters Local 533</i>
<i>Hugo Wagner</i>	<i>Teamsters " " " "</i>
<i>Charles Garrison</i>	<i>SPPEA SUB. VNB. NBR</i>
<i>Art Bell</i>	<i>Whittisen Taxi - Las Vegas, Reno, Lake Tahoe</i>
<i>Robert J. Hill</i>	<i>Nev. Assn. of Employers</i>
<i>David Y. DeHorn</i>	<i>National Right to Work Committee</i>
<i>James Cochran Jr.</i>	<i>Seal</i>
<i>Ken O'Connell</i>	<i>Nev. Assn. of Employers</i>
<i>Art Peterson</i>	<i>NEV. ASSOC. OF EMPLOYERS</i>
<i>Joe Midmore</i>	<i>Builders Assoc of N. Nevada</i>
<i>Vete Kelley</i>	<i>Nev. Retail Assn.</i>
<i>Don Schmoeder</i>	<i>So. Nev. Assn. of Laborers</i>