

BILL ANALYSIS

H.B. 1738
By: Hodge
Economic Development
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an individual may be disqualified for unemployment benefits from the state if the individual is unemployed due to a labor dispute occurring at another workplace. HB 1738 allows workers to receive unemployment benefits if locked out or placed on emergency leave due to a dispute involving an unrelated labor contract.

RULEMAKING AUTHORITY

It is the opinion of the author that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 207.048, Labor Code, by altering Subsections (a), (b), and (f) and by adding Subsection (g) as follows:

Section 207.048 (a) Removes the provision that benefits may be denied to an employee in circumstances where the individual's unemployment is caused by a labor dispute at another place that is owned or operated by or that supplies material or services to the employing unit where the individual is or was last employed.

(b) Adds provisions, to the existing provisions, for which disqualification for benefits do not relate to an individual who shows to the satisfaction of the Texas Workforce Commission that the individual has been (3) locked out of the individual's place of employment (4) has been placed on emergency leave without pay by the individual's employer.

Section 207.048(f) Adds text that defines, for the purpose of this section (1) lock out (2) premises.

Section 207.048(g) Provides that for the purpose of subsection (b), the payment of regular union dues by an individual does not constitute financing a labor dispute.

SECTION 2. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately, if this Act does not receive the necessary vote, this Act takes effect on September 1, 2005.