

PROVIDE FOR UNEMPLOYMENT COMPENSATION IN
THE DISTRICT OF COLUMBIA

AUGUST 21, 1935.—Ordered to be printed

Mr. PALMISANO, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 7167]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7167) to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendments:

On page 4 of the Senate engrossed amendment, line 20, strike out "7" and insert 8; on page 5 of the Senate engrossed amendment, lines 11 and 12, strike out "or by the District"; on page 8 of the Senate engrossed amendment, after line 26, insert the following:

DISTRICT CONTRIBUTIONS

SEC. 5. (a) The District of Columbia shall pay contributions, in addition to its contributions as an employer, in the following amounts: For the calendar year 1936, \$100,000; for the calendar year 1937, \$125,000; and for the calendar year 1938, \$175,000.

(b) The contributions required by this section for each calendar year shall be paid by the District to the Board, and shall, immediately upon receipt by the Board, be paid into the District Unemployment Fund.

On page 9 of the Senate engrossed amendment, line 2, strike out "5" and insert 6; on page 9 of the Senate engrossed amendment, line 8, strike out "6" and insert 7; on page 9 of the Senate engrossed amendment, line 15, strike out "7" and insert 8; on page 11 of the Senate engrossed amendment, line 12, strike out "8" and insert 9; on page 12 of the Senate engrossed amendment, line 2, strike out "9"

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and insert 10; on page 13 of the Senate engrossed amendment, line 17, strike out "10" and insert 11; on page 14 of the Senate engrossed amendment, line 2, strike out "three" and insert one; on page 15 of the Senate engrossed amendment, line 12, strike out "11" and insert 12; on page 18 of the Senate engrossed amendment, line 3, strike out "12" and insert 13; on page 18 of the Senate engrossed amendment, line 5, strike out "decisison" and insert decision; on page 19 of the Senate engrossed amendment, line 21, strike out "12" and insert 13; on page 20 of the Senate engrossed amendment, line 10, strike out "13" and insert 14; on page 21 of the Senate engrossed amendment, line 9, strike out "act" and insert Act; on page 21 of the Senate engrossed amendment, line 22, strike out "14" and insert 15; on page 22 of the Senate engrossed amendment, line 7, strike out "15" and insert 16; on page 23 of the Senate engrossed amendment, line 6, strike out "16" and insert 17; on page 23 of the Senate engrossed amendment, line 21, strike out "17" and insert 18; on page 24 of the Senate engrossed amendment, line 21, strike out "18" and insert 19; on page 26 of the Senate engrossed amendment, line 6, strike out "19" and insert 20; on page 27 of the Senate engrossed amendment, line 2, strike out "20" and insert 21; on page 27 of the Senate engrossed amendment, line 6, strike out "21" and insert 22; on page 27 of the Senate engrossed amendment, line 17, strike out "22" and insert 23; on page 27 of the Senate engrossed amendment, line 22, strike out "23" and insert 24; and on page 28 of the Senate engrossed amendment, line 5, strike out "24" and insert 25; and the Senate agree to the same.

VINCENT L. PALMISANO,
HENRY ELLENBOGEN,
Managers on the part of the House,
WILLIAM H. KING,
R. S. COPELAND,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7167) to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The House bill limited the definition of "employers" to those who employ at least four persons for at least 13 weeks a year. The Senate amendment which is in the form of a substitute for the House bill applies to employers of one or more.

The House bill exempted (1) employment as an elected or appointed public officer, (2) employment by the District on an annual salary basis, (3) employment as a teacher in a public school. The Senate amendment exempts (1) domestic service in a private home; (2) casual labor; (3) members of the employer's family; (4) Federal employment; (5) employment performed for a Member of Congress in connection with his legislative duties; and (6) employment by the District as a school officer or teacher, a member of the police or fire department, or of an individual under the Retirement Act.

The House bill provided that the rate of contribution from an employer should be an amount equal to 3 percent of his pay roll; except that contributions could be increased up to 5 percent for employers with a high rate of unemployment, but could not be reduced below 3 percent. The Senate amendment provides that the rate of contribution shall be at the rate of 1 percent for the calendar year 1936, 2 percent for the calendar year 1937, and 3 percent thereafter; except that commencing in 1941 the rate of contribution will be varied from 1½ percent to 4 percent, based upon the compensation experience of such employer.

The House bill provided that the District should contribute, in addition to its regular contribution as an employer, an amount equal to 1 percent of the pay roll of all employers subject to this act. The Senate amendment contains no comparable provision.

Under the House bill benefits commenced in January 1937. The Senate amendment changes this provision to January 1938. The Senate amendment reduces maximum benefit from 26 weeks in a year as provided in the House bill to 16 weeks. The Senate amendment also provides that benefits will be proportioned to previous employment in the ratio of 1 week of benefits for each 3 weeks the employee has worked in the preceding 2 years. The ratio in the House bill was 1 to 4.

Under the House bill benefits were payable by checks drawn by the Treasury. The Senate amendment provides that benefits are to be paid through checks drawn by the board on the District unemployment fund, placed as a special deposit in the Treasury.

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The House bill penalized an employee if he voluntarily quits his job without good cause, by disqualifying him for benefits for the week in which he quits and for not exceeding the 3 next following weeks. The Senate amendment penalizes him for the week in which he quits and for 3 additional weeks. The House bill also provided that if an employee is discharged for misconduct he is disqualified for the week in which he is discharged and for not less than the 1 nor more than the 6 next following weeks. The Senate amendment disqualifies him for the week in which he is discharged and for from 3 to 6 additional weeks. The House bill provided that the weeks for which the individual is disqualified would be counted as if benefits had been paid in those weeks, in determining the number of weeks of benefits to which the employee is entitled. This provision was not contained in the Senate amendment.

Under the House bill, the administration of the act was vested in the Social Security Board, with an advisory commission composed of the District Commissioners and an employer and an employee representative. The Senate amendment establishes a local board to administer the act, to be composed of the Commissioners of the District of Columbia, as members *ex officio*, and one representative of employees and one representative of employers, to be appointed by the Commissioners. The Senate amendment also provides that the board is to employ an executive officer to serve as its secretary and to act in the name of the board in all matters delegated to him.

The conference agreement accepts the substance of the Senate amendment with the following modifications:

(1) Provision is made for contribution by the District in addition to its contribution as an employer, \$100,000 for the calendar year 1936, \$125,000 for the calendar year 1937, and \$175,000 for the calendar year 1938.

(2) The Senate amendment defined "employment office" as a free public employment office or branch thereof in the District, operated by the United States Employment Service or by the District. The conference agreement strikes out the language "or by the District".

(3) The Senate amendment provides that if an employee is discharged for misconduct he is disqualified for benefits for the week in which he is discharged, and for from 3 to 6 additional weeks, depending upon the severity of the offense. The conference agreement provides, as did the House bill, that the additional penalty should be from 1 to 6 weeks.

VINCENT L. PALMISANO,
HENRY ELLENBOGEN,
Managers on the part of the House.

