

# State of South Dakota

SEVENTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2000

400D0368

## HOUSE BILL NO. 1021

Introduced by: The Committee on Commerce at the request of the Department of Labor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to conciliation of labor  
2 disputes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 60-10-2 be repealed.

5 ~~—60-10-2. If its efforts as conciliator prove unsuccessful, the department of labor shall, if~~  
6 ~~requested by either party, impartially investigate the matters in difference between the parties.~~  
7 ~~The request to the department shall be mailed within twenty days after the conclusion of the~~  
8 ~~conciliation procedure provided for in § 60-10-1. The department shall give each party ample~~  
9 ~~opportunity for presentation of the facts and shall make a report of the issues involved and a~~  
10 ~~recommendation for settlement of the controversy. The department shall furnish a copy of its~~  
11 ~~recommendation to each of the parties and to any local newspaper for publication for the~~  
12 ~~information of the public.~~

13 Section 2. That § 60-10-3 be repealed.

14 ~~—60-10-3. The secretary of labor shall have the right, if he so desires, or if requested by either~~  
15 ~~party, to call in two capable citizens not directly connected with the dispute, one to be named~~  
16 ~~by each party, to assist in the investigation and advise with him as to his recommendations.~~

17 Section 3. That § 3-18-8.1 be amended to read as follows:

1        3-18-8.1. In case of impasse or failure to reach an agreement in negotiations conducted under  
2 the provisions of this chapter, either party may request the Department of Labor to intervene  
3 under the provisions of §§ 60-10-1 to ~~60-10-3, inclusive~~. Such request shall be mailed within  
4 ten days after a written statement is delivered to the designated representative for the other party  
5 declaring an impasse. Nothing in this section prohibits the parties to an impasse from adopting  
6 any other procedure to facilitate a settlement that is mutually agreeable.

7        Section 4. That § 60-9A-10 be amended to read as follows:

8        60-9A-10. In case of a labor dispute or grievance, including ~~but not limited to~~ an impasse or  
9 failure to reach an agreement in negotiations, either party may request the department to  
10 intervene under the provisions of §§ 60-10-1 to ~~60-10-3, inclusive~~. Nothing in this section ~~shall~~  
11 ~~prohibit~~ prohibits the parties to such an impasse or dispute from adopting any other procedure  
12 to facilitate a settlement that may be mutually agreeable.