

Most golf industry experts hail political shift with new Congress

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-ciation of America: "With the new Congress, we believe some positive changes are on the way for golf and the rest of the hospitality industry."

Two potentially damaging laws under consideration before November's election are far less likely to be passed under the new regime, Kirby-Hart said. The first was the Employment Nondiscrimination Act of 1994, which proposed amending federal civil rights law to protect individuals from discrimination based on sexual orientation. The gay rights measure would cover any employer with 15 or more employees. Jury trials and punitive and compensatory damages would be available for those successfully claiming discrimination based on sexual preference.

"I don't see it going anywhere," Kirby-Hart said. "[Sen. Ted] Kennedy promoted it. But it had trouble gaining support last year and I can't see it going anywhere this year with the new circumstances."

U.S. Rep. Eleanor Holmes Norton (D-Washington, DC) last year introduced a second piece of legislation, the Fair Pay Act. The amendment to the Fair Labor Standards Act of 1938 would require employers to pay equal wages to workers in *equivalent jobs*. The term *equivalent jobs* is defined as jobs that may be dissimilar, but whose requirements are viewed as equivalent in skills, effort, responsibility and working conditions. Employers would be required to report job classifications and pay statistics to the Equal Employment Opportunity Commission.

"It will never go anywhere with this Congress," Kirby-Hart assured. "It was one of the worst pieces of legislation I've ever seen, truly insane. It would have required employers to do an analysis of different peoples' jobs and compare them. The worst part was that anyone could come in and get copies of the report, making a club's pay scale available to anyone who wanted to see it. It eliminated any right to privacy."

Another pay issue — President

Two potentially damaging laws under consideration before November's election are far less likely to be passed under the new regime, according to the NCA's Elizabeth Kirby-Hart.

Clinton's proposal to raise the minimum wage by \$1 per hour — is of major concern to Gary Grigg, superintendent at Naples (Fla.) National Golf Club and incoming president of the Golf Course Superintendents Association of America.

"We [Naples National] pay everyone well above the minimum wage," Grigg said. "But some courses may not be able to afford it. I think that big of an increase could really hurt high school kids looking for part-time or summer jobs."

The new Congress was debating the minimum-wage issue in early January and the change was already evident, according to Pat Jones, GCSAA's interim government relations manager. "The Department of Labor," Jones said, "had recommended raising the minimum wage by \$1 an hour. But the debate included everything from the president's request, to keeping it the same, to eliminating the minimum wage altogether. It's safe to assume there will be some increase, but it's likely to take place in 1996 rather than this summer as we originally expected."

Immigration is one area where the new Congress is likely to move even more stringently than the old, and that could have a dramatic effect on golf course employment, Kirby-Hart predicted. The Commission on Immigration Reform recently urged Clinton to fight the influx of illegal alien workers by testing a program that requires all job applicants to prove their identities. The plan would create a national computer registry of all persons eligible to work in the United States. Employers would be required to check the identities of job applicants against the registry through an improved Social Security card.

In its Contract with America, the Republicans promised to investigate immigration reform. Whether that will include the Commission on Immigration Reform's test program and/or some other measures to control illegal workers should be known within six months, Kirby-Hart said.

"Most of the people we hire in maintenance are minorities," said Grigg of his home course. "We've always gone by the letter of the law in hiring. We're very careful about checking employees out. We have a human resources person who does a terrific job. But the Immigration Service still caught us on one guy last year. You shouldn't punish an employer if he is honestly trying. We feel we try very hard to follow the law."

While a Republican-controlled Congress is heartening, the golf industry should remain vigilant on other fronts, association representatives warned.

"You may start to see regulatory agencies push a more liberal agenda to bypass Congress," Kirby-Hart said. "Regulatory agencies are controlled by the executive

rather than the legislative branch of government. The Environmental Protection Agency could get more involved with pesticide reform, the Occupational Health and Safety Administration with workers."

And state legislatures could pick up where the formerly Democrat-controlled Congress left off, GCSAA's Jones added.

"Just because the federal structure has changed, doesn't mean state legislatures won't pursue certain issues," Jones said. "The Association of State Attorneys General, for instance, has already advised private clubs they should be ready to defend practices that exclude women."

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