EXHIBIT 4
DATE 3-19-09
SB 371

Senate Bill No. 371
Introduced By G. Perry

An Act Revising The Definition Of "Employee" Or "Worker"

Testimony of Phil Maxwell, 3 Rivers Telephone Cooperative, Inc.
Before the House Business and Labor Committee

Mr. Chair and members of the committee:

3 Rivers is a telephone cooperative[1] established in 1953 and headquartered in Fairfield Montana. They serve over 20,000 access lines in 29 exchanges, providing long distance, local dial-up Internet, DSL broadband Internet, combined wireless broadband and local phone, satellite TV, satellite broadband Internet, and competitive local telephone service in addition to traditional local telephone service.

3 Rivers Communications stands in support of SB371.

3 Rivers is a progressive company providing advanced telephone and broadband services. To continue to do this in this ever changing and competitive world we need to manage expenses and employ a well educated and productive workforce. One of the innovative ways we have found we can help accomplish both of these is through our company wellness program.

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[1] 3 Rivers Communications, with corporate headquarters in Fairfield, MT, was founded in 1953 as a rural telephone cooperative. 3 Rivers has grown and diversified over the years and now offers long distance, local dial-up Internet, DSL broadband Internet, combined wireless broadband and local phone, satellite TV, IPTV, satellite broadband Internet, and competitive local telephone service in addition to traditional local telephone service. They have over 20,000 access lines in over 29 exchanges, from Browning near the Canadian border to Lima near the Idaho border. The service area includes Fort Shaw, Power, Fairfield, Pendroy, Dupuyer, Augusta, East Conrad, Carter, Geyser, Stockett, Raynesford, Browning, Big Sky, Ennis, Harrison, Neihart, Belt, Valier, Choteau, Highwood, Brady, Twin Bridges, Sheridan, Melrose, Lima and Virginia City. Services are provided as a competitive local exchange carrier in Conrad, Shelby, Great Falls and Helena.

The wellness program encourages and even pays our employees to live a healthy lifestyle, to be active in their daily lives and to be proactive in medical concerns (i.e. annual checkups). The program benefits the company by lowering medical expenses, decreasing employee absenteeism and increasing productivity. The employee benefits by paying less for their and families medical insurance, being healthier, and being more satisfied in their work environment.

Exercise is a big part of the wellness program and allowing employees walk off campus on their breaks is beneficial to both the company and employee. Instances as described by Mr. Squares from Blackfoot Telephone may cause the company to prohibit employees to leaving the campus during their paid break. The decision will be a simple business decision to help manage expenses as stated in the first paragraph. While this decision may limit workers comp claims, at the same time it would have an adverse affect on other expenses such as medical expenses and most assuredly have a negative affect on employee moral and productivity.

Opposition to SB371 will tell you there is no need to change current law and the simple cure to the problem is to not allow people to leave campus while on a paid break or do not pay people to take a break. This is not the solution.

3 Rivers Communications stands in support of and asks this committee to give a do pass on SB371.

Thank you for your time and consideration on this important issue.