bankruptcy rates in Ohio and Wisconsin are not very different from those in California.[105]

The most straightforward way would be to provide that an employee shall not be discharged because of wage garnishments. This was, in essence, the approach of the New York bills.[106] The question that immediately arises is how such a law would be enforced. What about the employer who dislikes garnishments and looks for—and finds—other reasons to discharge the employee whose wages are "hit"?[107] These obstacles are real but not insuperable. First, as to the problem of deciding whether an employee was "really" discharged because of garnishments or for some other reason, the National Labor Relations Board and the United States courts of appeals have for over a quarter of a century applied a provision of the Labor-Management Relations Act[108] that poses an analogous problem. Under that act an employer may discharge an employee for any reason, even for no reason, as long as he doesn't do it because of the employee's union membership or activities.[109] The Labor Board and the courts frequently resolve the issue of whether an employee was discharged because he belonged to (or was active in) a union or because of other

[105] If trusteeship were an effective tool against threatened loss of employment due to wage garnishments, then one would anticipate lower individual bankruptcy rates to the extent that debtors no longer need to turn to bankruptcy to safeguard their job. The measure is obviously imprecise. The following data are taken from the BANKRUPTCY STUDY COMM., AMERICAN COLLECTORS ASS'N, ANNUAL REPORT 14-15 (1963-64) [hereinafter cited as ACA BANKRUPTCY STUDY COMM.].

State	No. of families for each individual bankruptcy—1950	Same—1960
California	975	175
Ohio	678	200
Wisconsin	1446	104
All U.S.	1504	377

See also Table 2 accompanying note 123 *infra*.

[106] Thus, Senate Intro. 2168 would have amended the N.Y. labor law to make such discharges an unfair labor practice. Senate Intros. 2299, 3061 and 4164 would have amended the provisions with income executions to provide that "it shall be unlawful for an employer to discharge an employee against whom an income execution . . . is served . . . solely because of such service . . . ." Two of these bills further made such a discharge a misdemeanor. Senate Intro. 4146 also would have prohibited discharge. It added the interesting provision that an employer would remain liable on the income execution—on the continuing garnishment—as though he had not discharged the employee. The approach of Senate Intro. 2168 is not available in California because it does not have a labor law that specifies unfair labor practices.

[107] See *Hearings* 8.

[108] 61 Stat. 136 (1947), as amended, 29 U.S.C. §§ 141-87 (1964).

[109] 61 Stat. 140 (1947), as amended, 29 U.S.C. §§ 158 (a)(1), 158 (a)(3) (1964).