reasons. Presumably, whether the discharge was for garnishments is also capable of determination. However, resolution of discharge problems under the Labor-Management Relations Act often involves complex and protracted hearings. It may well be doubted whether employers should be subjected to the expense of extended trials dealing with alleged garnishment discharges. It may be doubted, too, how many employees could, as a practical matter, avail themselves of the benefits of such a law.

The employee would have to turn to the courts; California has no counterpart of the NLRB. A law of this type would not, in all likelihood, be effectively enforced through criminal sanctions; district attorneys, already burdened with more pressing matters, would be less than eager to initiate prosecutions, particularly against respected companies. The individual employee could not afford the expenses of litigation, which would be several hundred dollars for the simplest case and could easily be many times that amount. However, a substantial number of employees might be aided by their unions; when the union carries the ball on behalf of a discharged member, judicial resolution would become feasible. Under some collective bargaining agreements the issue could also be submitted to arbitration, which would provide a speedier and less expensive determination.

Quite apart from the difficulties of litigation, employers might well object that their right to discharge for garnishments should not be impaired: Not only does the processing of garnishments entail extra work and expense for the employers, but, the argument runs, they have a legitimate interest in the financial responsibility of their employees—an employee in deep financial trouble may not be a very productive one. There is merit in such contentions, although they are not necessarily decisive. A family's financial crisis may have widespread effects: effects on the creditors, effects on the legal machinery of society, effects often enough in terms of unemployment insurance, welfare payments, personal tensions, and even family break-up.[110] Employers are not automatically entitled to be exempt from these effects.

In fact, a no-discharge-for-garnishments rule could well have the healthy effect of encouraging more employers to take an active interest in the debt problems of their employees. The wise use of credit is a complex skill that has to be learned; employers—at least large ones—can do a great deal by way of providing information and counseling, as well as assistance through avenues such as credit unions. Some of this, of course, is being done already.

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110 It is not suggested here that garnishments are the principal cause of financial crisis, but they commonly are the precipitating event.