

HOUSE BILL No. 4863

May 22, 1991, Introduced by Reps. Murphy, Jonker, Leland, Joe Young, Sr., Harrison, Clack, Kilpatrick, Bennane, Stallworth, Wallace, Yokich, Profit, DeMars, Clarke, Hood, O'Neill, Emerson, Kosteva, Gubow and Hunter and referred to the Committee on Labor.

A bill to amend section 22 of Act No. 176 of the Public Acts of 1939, entitled as amended

"An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act,"

being section 423.22 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 22 of Act No. 176 of the Public Acts of
2 1939, being section 423.22 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 22. (1) ~~It shall be unlawful for an employer to~~ AN
5 EMPLOYER SHALL NOT engage in a lockout ~~or for~~ AND a labor

1 organization ~~to~~ SHALL NOT engage in or instigate a strike
2 without first having served notice as required in section 9.

3 (2) ~~It shall be unlawful for any individual to~~ AN INDIVID-
4 UAL SHALL NOT instigate a lockout or strike ~~which~~ THAT is
5 ~~unlawful under this section~~ PROHIBITED UNDER SUBSECTION (1).

6 (3) AN EMPLOYER SHALL NOT DO EITHER OF THE FOLLOWING:

7 (A) HARASS AN INDIVIDUAL LAWFULLY ENGAGED IN A STRIKE.

8 (B) CARRY OR DISPLAY A FIREARM IN THE PRESENCE OF ANY
9 STRIKER.

10 (4) AN AGENT OR EMPLOYEE OF AN EMPLOYER, WHICH AGENT OR
11 EMPLOYEE PROVIDES SECURITY OR PROTECTION OF THE EMPLOYER'S PROP-
12 erty, SHALL NOT DURING A STRIKE DO ANY OF THE FOLLOWING:

13 (A) HARASS AN INDIVIDUAL LAWFULLY ENGAGED IN A STRIKE.

14 (B) CARRY OR DISPLAY A FIREARM IN THE PRESENCE OF ANY
15 STRIKER.

16 (C) LEAVE THE EMPLOYER'S PROPERTY WITHIN THE COURSE OF THE
17 PERFORMANCE OF HIS OR HER DUTIES.

18 (5) ~~(3) Any~~ AN individual or person may pursue any appro-
19 priate legal or equitable remedy or other relief in any circuit
20 court having jurisdiction with respect to any act or conduct in
21 violation of ~~any of the provisions of~~ this act, except FOR sub-
22 section (1) and sections 16 and 17a. The existence of a criminal
23 penalty with respect to any such act or conduct ~~shall~~ DOES not
24 ~~be deemed to~~ preclude appropriate equitable relief.

25 (6) AS USED IN THIS SECTION, "FIREARM" MEANS THAT TERM AS
26 DEFINED IN SECTION 3T OF CHAPTER 1 OF THE REVISED STATUTES OF
27 1846, BEING SECTION 8.3T OF THE MICHIGAN COMPILED LAWS.