

**EMPLOYMENT RELATIONS COMMISSION (EXCERPT)**  
**Act 176 of 1939**

**423.22 Unlawful acts; legal or equitable remedy.**

Sec. 22. (1) It shall be unlawful for an employer to engage in a lockout or for a labor organization to engage in or instigate a strike without first having served notice as required in section 9.

(2) It shall be unlawful for any individual to instigate a lockout or strike that is unlawful under this section.

(3) Any person may pursue any appropriate legal or equitable remedy or other relief in any circuit court having jurisdiction with respect to any act or conduct in violation of any of the provisions of this act, except subsection (1) and sections 14(4), 16, and 17a. The existence of a criminal penalty with respect to any such act or conduct does not preclude appropriate equitable relief.

**History:** Add. 1947, Act 318, Eff. Oct. 11, 1947;—CL 1948, 423.22;—Am. 1949, Act 230, Imd. Eff. May 31, 1949;—Am. 1965, Act 282, Imd. Eff. July 22, 1965;—Am. 1978, Act 250, Imd. Eff. June 20, 1978;—Am. 2012, Act 348, Eff. Mar. 28, 2013.

**Compiler's note:** Enacting section 1 of Act 348 of 2012 provides:

"Enacting section 1. If any part or parts of this act are found to be in conflict with the state constitution of 1963, the United States constitution, or federal law, this act shall be implemented to the maximum extent that the state constitution of 1963, the United States constitution, and federal law permit. Any provision held invalid or inoperative shall be severable from the remaining portions of this act."