

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
106TH LEGISLATURE

HOUSE AMENDMENT " A " to H. P. 1606, L. D. 2027, Bill,
"AN ACT Regulating Agricultural Labor Practices."

Amend said Bill in that part designated "§ 936." by
striking out all of paragraph C and inserting in place thereof
the following:

'C. To discriminate in regard to hiring or tenure of
employment or any term or condition of employment so as
to encourage or discourage membership in any labor
organization, provided that nothing in this subchapter,
or any other statute of the United States, shall preclude
an employer from making an agreement with a labor organization
not established, maintained, or assisted by any action
defined in this section as an unfair labor practice to
require as a condition of employment membership therein
on or after the 13th day following the beginning of such
employment or the effective date of such agreement, whichever
is the later:

(1) If such labor organization is the representative
of the employees as provided in section 940, subsection
3, in the appropriate collective bargaining unit
covered by such agreement when made; and

(2) Unless following an election held as provided
in section 940, subsection 2, paragraph C, within
one year preceding the effective date of such agreement
the board shall have certified that at least a majority
of the employees eligible to vote in such election

(Filing No. H-591)

have voted to rescind the authority of such labor organization to make such an agreement.

No employer shall justify any discrimination against an employee for nonmembership in a labor organization:

- (1) If he has reasonable grounds for believing that such membership was not available to the employee on the same terms and conditions generally applicable to other members; or
- (2) If he has reasonable grounds for believing that membership was denied or terminated for reasons other than the failure of the employee to tender the periodic dues and the initiation fees uniformly required as a condition of acquiring or retaining membership.

Statement of Fact

It is the intent of this amendment to provide for the union shop to conform with the National Labor Relations Act.

Filed by Mr. Smith of Exeter.

Reproduced and distributed under the direction of the Clerk of the House.

6/20/73

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