MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 842

H.P. 623 House of Representatives, March 19, 1987 Reference to the Committee on Labor suggested and ordered printed.

EDWIN H. PERT, Clerk Presented by Representative BAKER of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

2 3 4 5	Anti-strikebreaker Law to Encourage the Settlement and Peaceful Resolution of Labor Disputes.
6 7	Be it enacted by the People of the State of Maine as follows:
8 9	Sec. 1. 26 MRSA §852, as enacted by PL 1965, c. 189, is amended by adding a new paragraph to read:
LO	No person, partnership, union, agency, firm, cor-
L1	poration or officer, or employee or agent thereof,
L 2	shall recruit, procure, supply or refer persons for
L3	employment who or by the use of or with the assist-
L 4	ance of individuals or organizations which customari-
L 5	ly and repeatedly offer others for employment in
L 6	place of any employee involved in a labor dispute,
.7	strike or lockout.

1	Sec. 2. 26 MRSA §853, as enacted by PL 1965, c.
2	189, is amended by adding a new paragraph to read:
3	No person, partnership, union, firm or corpora-
4	tion involved in a labor dispute, strike or lockout
5	aball directly or indirectly employ or retain any
5	shall, directly or indirectly, employ or retain any
6	person or organization which customarily and repeat-
7	edly offers to provide persons for employment in the
8	place of employees involved in a labor dispute,
9	strike or lockout contract for or arrange with any
10	such entity to employ the services of those persons.
11 12	Sec. 3. 26 MRSA §855, as enacted by PL 1965, c. 189, is amended by adding a new paragraph to read:
L Z	109, 15 amended by adding a new paragraph to read.
13	It shall be brime feets evidence that a person or
	It shall be prima facie evidence that a person or
L4	an entity customarily and repeatedly acts to offer
L5	others for employment in place of employees involved
16	in a labor dispute, strike or lockout if that person
L7	or entity has 2 times before provided or offered to
18	provide persons to take the place of employment of
L9	persons involved in a labor dispute, strike or lock-
20	out.
21	Sec. 4. 26 MRSA §855-A is enacted to read:
22	§855-A. Civil action; injunctive or other relief
23	Any person, corporation or labor organization may
24	bring a civil action for injunctive and other relief
25	to enforce the provisions of this chapter. The ac-
26	tions shall not be subject to the provisions of sec-
20 27	tions 5 to 7, to enjoin compliance.
<i>-</i> /	crons 3 to /, to enjoin compilance.

STATEMENT OF FACT

The purpose of this bill is to provide civil enforcement provision in the anti-strikebreaker law to encourage settlement and peaceful resolution of labor disputes.

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