

Senate Bill 198

In The Senate

January 20, 1981	Introduced and referred to Committee on Labor and Employment Relations.
April 23, 1981	Died in Committee.

Senate BILL NO. 198

1
2 INTRODUCED BY Tim

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 39-31-201, MCA, TO PROHIBIT PUBLIC EMPLOYEES AND PUBLIC
6 EMPLOYEE ORGANIZATIONS FROM STRIKING AND PROVIDING FOR
7 JUDICIAL ENFORCEMENT."

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9 WHEREAS, public governments are monopolies that provide
10 services which cannot otherwise be provided; and

11 WHEREAS, public governments are paid to deliver unique
12 and special services; and

13 WHEREAS, public governments have an obligation to
14 insure the uninterrupted delivery of public services; and

15 WHEREAS, employees in the public service have a
16 responsibility to provide efficient and uninterrupted
17 delivery of public services for the protection and
18 well-being of the public.

19
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

21 Section 1. Section 39-31-201, MCA, is amended to read:
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23 "39-31-201. Public employees protected in right of
24 self-organization strikes prohibited judicial
25 enforcement. (1) Public employees shall have and shall be
protected in the exercise of the right of self-organization,

1 to form, join, or assist any labor organization, to bargain
2 collectively through representatives of their own choosing
3 on questions of wages, hours, fringe benefits, and other
4 conditions of employment, and to engage in other concerted
5 activities, except strikes against the employer, for the
6 purpose of collective bargaining or other mutual aid or
7 protection free from interference, restraint, or coercion.

8 (2) (a) No public employee or public employee
9 organization may engage in a strike or cause, instigate,
10 encourage, or condone a strike against a public employer.

11 (b) If a strike by a public employee or employee
12 organization occurs, the employer shall directly petition
13 the appropriate district court for relief. The court may
14 grant such temporary or permanent relief as it considers
15 just and proper."

-End-

-2- INTRODUCED BILL

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