

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.

1 *Senators* BILL NO. *198*
 2 INTRODUCED BY *Stinson*-----
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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."

8
 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:

22 "39-31-201. Public employees protected in right of
 23 self-organization ~~== strikes prohibited ==~~ judicial
 24 enforcement. (1) Public employees shall have and shall be
 25 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
 SB 198