SENATE . . . . . No. 5

To accompany the petition of the Massachusetts State Branch of the American Federation of Labor for a legislative amendment of the Constitution relative to the status of labor unions and exempting them from the application of certain laws. Constitutional Law.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-Three.

A PROPOSAL

For a Legislative Amendment to the Constitution regulating the Status of Labor Unions and their Members and exempting them from Amenability to Certain Laws.

A joint session of the senate and house of representatives hereby declares it to be expedient to alter the constitution by the adoption of the following article of amendment to the end that it may become a part of the constitution, if similarly agreed to in a joint session of the next general court and approved by the people at the state election next following.

ARTICLE OF AMENDMENT.

SECTION 1. It shall not be unlawful for working men and women to organize themselves into or carry on labor unions and to persuade or induce

4 others to join with them for the purpose of reg-
5 ulating the hours of labor or regulating the
6 wages, or otherwise bettering the condition of
7 the members of such organizations or doing any
8 act in pursuance thereof not forbidden by law
9 if done by a single individual. Labor unions and
10 the individual members thereof shall not be
11 liable in damages for the unlawful acts of their
12 officers or of other members thereof unless they
13 shall have personally aided, counseled and advised
14 the same.

1 SECTION 2. No restraining order or injunc-
2 tion shall be granted by any court of Massa-
3 chusetts or any judge thereof in any case involv-
4 ing or growing out of a dispute concerning terms
5 of employment or conditions of labor, which shall
6 prohibit any person or persons, whether singly
7 or in concert from terminating any relation or
8 contract of employment or from ceasing to per-
9 form any work or labor; or from recommending,
10 advising, inducing or persuading others so to do;
11 or from attending at any place where any person
12 or persons might lawfully be for the purpose of
13 obtaining or communicating information; or
14 from inducing or persuading any person to work
15 or to abstain from work; or from ceasing to pat-
16 ronize any person, firm or corporation; or from
17 recommending, advising, inducing or persuading
18 others so to do; or from paying, or giving to, or
19 withholding from any person engaged in such
20 dispute any strike benefits or other moneys or

things of value; or from doing any act or things which might lawfully be done in the absence of such dispute by a single individual. The acts specified herein shall not be construed or held to be illegal or unlawful in any court of Massachusetts.

SECTION 3. No person shall be indicted, prosecuted or tried in any court of Massachusetts for entering into or participating in any arrangement, agreement or combination made with a view of joint action for the purpose of regulating the number of hours of labor, or regulating wages, or bettering the condition of working men and women, or for any act done in pursuance thereof, unless such act is in itself forbidden by law if done by a single individual.