

By Mr. Businger of Brookline, petition of the Massachusetts AFL-CIO Council and John A. Businger relative to the hiring of certain workers during the continuance of a strike, lockout or other labor dispute. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT RELATIVE TO THE HIRING OF CERTAIN WORKERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 149, section 23 of the General Laws, as
2 appearing in the 1988 Official Edition, is hereby amended by
3 striking said section and inserting in place thereof the following
4 new section: —

5 Section 23. No person, during the continuance of a strike,
6 lockout or other labor trouble among his employees or those of
7 another person, shall directly or indirectly procure or attempt to
8 procure, or assist in any way in procuring or attempting to
9 procure, persons to permanently fill the places of employees
10 involved in such strike, lockout or other labor trouble for a period
11 of ten weeks from the commencement of such strike, lockout or
12 labor trouble. Any violation of this provision shall be punished
13 by a fine of not more than two thousand dollars.

14 If such persons are or have been solicited by means of
15 advertisements or oral or written statements it must be plainly or
16 explicitly mentioned that a strike, lockout or other labor trouble
17 exists in the establishment where such persons are to be employed
18 in accordance with section twenty-two of chapter one hundred and
19 forty-nine. This provision shall apply whether such advertise-
20 ments or oral or written solicitations were made within or without
21 the commonwealth. Any person violating this provision shall be
22 punished by a fine of not more than two thousand dollars.

1 SECTION 2. Chapter 150A, section 4 of the General Laws, as
2 appearing in the 1988 Official Edition, is hereby amended by
3 inserting after subsection (6) a new subsection: —
4 (7) to employ or threaten to employ, or to enter into an
5 agreement, or threaten to enter into an agreement, for the purpose
6 of employing individuals to whom the employer extends an offer
7 of permanent employment as replacements for employees
8 involved in a strike, lockout or other labor trouble for a period
9 of ten weeks from the commencement of said strike, lockout or
10 other labor trouble.