

H.B. 4462

A bill to amend 1939 PA 176, entitled

"An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act,"

by amending section 22 (MCL 423.22).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 22. (1) ~~It shall be unlawful for an employer to~~ AN  
2 EMPLOYER SHALL NOT engage in a lockout ~~or for~~ AND a labor  
3 organization ~~to~~ SHALL NOT engage in or instigate a strike with-  
4 out first having served notice as required in section 9.

5       (2) ~~It shall be unlawful for any individual to~~ AN  
6 INDIVIDUAL SHALL NOT instigate a lockout or strike ~~which~~ THAT

**HB4462, As Passed House, June 4, 1997**

H.B. 4462 as amended June 4, 1997

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1 is ~~unlawful under this section~~ PROHIBITED UNDER  
2 SUBSECTION (1).

3 (3) AN EMPLOYER SHALL NOT DO EITHER OF THE FOLLOWING:

4 (A) HARASS AN INDIVIDUAL LAWFULLY ENGAGED IN A STRIKE.

5 (B) [BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE] A FIREARM  
IN THE PRESENCE OF ANY

6 STRIKER.

7 (4) AN EMPLOYER'S AGENT OR EMPLOYEE WHO PROVIDES SECURITY OR  
8 PROTECTION OF THE EMPLOYER'S PROPERTY SHALL NOT DO ANY OF THE  
9 FOLLOWING DURING A STRIKE:

10 (A) HARASS AN INDIVIDUAL LAWFULLY ENGAGED IN A STRIKE.

11 (B) [BRANDISH, DISCHARGE, OR THREATEN TO DISCHARGE] A FIREARM  
IN THE PRESENCE OF ANY

12 STRIKER.

13 (C) LEAVE THE EMPLOYER'S PROPERTY WITHIN THE COURSE OF THE  
14 PERFORMANCE OF HIS OR HER DUTIES.

15 (5) ~~(3) Any~~ AN individual or person may pursue ~~any~~ AN  
16 appropriate legal or equitable remedy or other relief in ~~any~~  
17 THE circuit court having ~~jurisdiction~~ VENUE with respect to  
18 ~~any~~ AN act or conduct in violation of ~~any of the provisions~~  
19 ~~of~~ this act, except FOR subsection (1) and sections 16 and 17a.  
20 The existence of a criminal penalty with respect to ~~any such~~  
21 THAT act or conduct ~~shall~~ DOES not ~~be deemed to~~ preclude  
22 appropriate equitable relief.

23 (6) AS USED IN THIS SECTION, "FIREARM" MEANS THAT TERM AS  
24 DEFINED IN SECTION 3T OF 1846 RS 1, MCL 8.3T.