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## DIGEST

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Stuart Bishop

HB No. 922

**Abstract:** Provides for prohibitions on certain picketing activities and the procedures for violations.

Present law provides definitions relative to labor disputes and labor organizations.

Proposed law adds the term "mass picketing" to the list of definitions and provides that mass picketing includes:

- (1) Hindering or preventing any lawful work or employment by congregating to protest and using unlawful threats or force.
- (2) Obstructing or interfering with entrance to or egress from any place of employment.
- (3) Obstructing or interfering with free and uninterrupted use of public roads, streets, highways, railways, airports, waterways, or other ways of travel or conveyance by congregating to protest.
- (4) Engaging in a protest at a private residence by any means or method.

Present law prohibits a court from issuing an injunction to prohibit when an employee ceases to work, becomes a member of a labor organization, withholding or paying any strike or unemployment benefits, lawfully aiding someone who is being proceeded against or prosecuted, giving publicity to or obtaining or communicating information regarding a dispute, ceasing to patronize or employ any person, assembling peaceably to promote lawful interests, or advising others to do or not to do any of the aforementioned acts.

Proposed law excepts the act of mass picketing from the list of acts for which an injunction or restraining order may not be granted.

Proposed law provides that an employer need not prove substantial and irreparable injury to his property to be granted relief.

Present law provides that no temporary restraining orders or temporary injunctions may be issued except when the complainant files an undertaking with adequate security sufficient to recompense those enjoined for any loss, expense, or damage.

Proposed law excepts temporary restraining orders or temporary injunctions sought to enjoin mass picketing activities from present law.

Present law provides that no restraining order or injunctive relief shall be granted to any complainant who has failed to make reasonable effort to settle disputes.

Proposed law excepts mass picketing activities from present law.

Present law provides that punishment for contempt may be by a fine not exceeding \$100 or by imprisonment not exceeding 15 days, or both.

Proposed law provides that the punishment for contempt of an order enjoining prohibited mass picketing activities shall be \$1,000 for each day of the violation.

Proposed law further provides that if a union or other organization continues to sponsor or assist in the prohibited activity, they shall be subject to a fine of \$10,000 for each day of violation.

Proposed law further provides that the civil fine shall be paid to the court and upon a showing of damages to business sales, the damaged party shall be compensated.

Proposed law provides that proposed law shall not be construed to affect or limit any existing property rights.

Proposed law provides that proposed law shall not be construed to violate the right to freedom of speech, freedom of assembly, and freedom of association.

(Amends R.S. 23:841, 844-846, and 849; Adds R.S. 23:821(4))