

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2779

By: Morgan

AS INTRODUCED

An Act relating to labor; enacting the Right to Work Act; providing short title; defining terms; prohibiting certain acts; prohibiting certain agreements; providing that certain acts in violation of section are illegal and void; providing certain acts to be unlawful; prohibiting certain conspiracies; providing for certain civil liabilities; authorizing certain injunctive relief, court costs and attorney fees; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 470 of Title 40, unless there is created a duplication in numbering, reads as follows:

SECTION 2. This act shall be known and may be cited as the "Right to Work Act".

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 471 of Title 40, unless there is created a duplication in numbering, reads as follows:

In this act, unless the context otherwise requires:

1. "Labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or other conditions of employment.

2. "Person" includes a natural person, a corporation, association, company, firm or labor organization.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 472 of Title 40, unless there is created a duplication in numbering, reads as follows:

No person shall be denied the opportunity to obtain or retain employment because of nonmembership in a labor organization. The state or any subdivision thereof, or any corporation, individual, or association of any kind shall not enter into an agreement, written or oral, which excludes a person from employment or continuation of employment because of nonmembership in a labor organization.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 473 of Title 40, unless there is created a duplication in numbering, reads as follows:

A. Any act or provision in an agreement which is in violation of this section is illegal and void.

B. Any strike or picketing to force or induce an employer to make an agreement orally or in writing in violation of this section is for an illegal purpose.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 474 of Title 40, unless there is created a duplication in numbering, reads as follows:

It is unlawful for an employee, labor organization, or officer, agent or member thereof, by any threatened or actual interference with the person, the person's immediate family or the person's property, to compel or attempt to compel such person to join a labor

organization, to strike against the person's will or to leave the person's employment.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 475 of Title 40, unless there is created a duplication in numbering, reads as follows:

A combination or conspiracy by two or more persons to cause the discharge of any person or to cause such person to be denied employment because the person is not a member of a labor organization by inducing or attempting to induce any other person to refuse to work with such person, is illegal.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 476 of Title 40, unless there is created a duplication in numbering, reads as follows:

A person who violates any provision of this section, or who enters into an agreement containing a provision declared illegal by this section, or who brings about the discharge of or denial of employment to any person because of nonmembership in a labor organization shall be liable to the person injured as the result of such act or provision and may be sued therefor, and in such action any labor organization, subdivision or local thereof shall be bound by the acts of its duly authorized agents acting within the scope of their authority, and may sue or be sued in its common name.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 477 of Title 40, unless there is created a duplication in numbering, reads as follows:

A person injured or threatened with injury by an act declared illegal by this section shall, notwithstanding any other provision of law to the contrary, be entitled to injunctive relief therefrom, and any court costs and attorney fees related thereto.

SECTION 10. This act shall become effective November 1, 1998.

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