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**HB 1961** - H AMD **322 Adopted 3-20-91**

2 By Representatives R. Johnson, Spanel and Kremen

3 On page 4, beginning on line 7, strike all of subsection (9)

4 Renumber the subsections consecutively and correct any  
5 internal references accordingly.

1 **HB 1961** - H AMDS

2 By Representative R. Johnson

3 On page 10, after line 10, insert the following:

4 "(4) (a) To engage in, or to induce or encourage an individual  
5 employed by any person to engage in a strike, or a refusal in the  
6 course of his or her employment to use, manufacture, process,  
7 transport, or otherwise handle or work on any goods, articles,  
8 materials, or commodities, or to perform any services in a normal  
9 and expeditious manner; or

10 (b) To threaten, coerce, or restrain any person with the  
11 object of:

12 (i) Forcing or requiring an employer or self-employed person  
13 to join an employee or employer organization;

14 (ii) Forcing or requiring a person to cease using, selling,  
15 handling, transporting, or otherwise dealing in the products of any  
16 other producer, processor, or manufacturer, or to cease doing

1 business with any other person, or forcing or requiring any other  
2 employer to recognize or bargain with an employee organization as  
3 the representative of his or her employees unless such employee  
4 organization has been certified as the representative of the  
5 employees under the provisions of section 10 of this act. However,  
6 nothing contained in this subsection (b)(ii) shall be construed to  
7 make unlawful, where not otherwise unlawful, a primary strike or  
8 primary picketing;

9 (iii) Forcing or requiring an employer to bargain with a  
10 particular employee organization as the representative of employees  
11 if another employee organization has been certified as the  
12 representative of such employees under the provisions of section 10  
13 of this act; or

14 (iv) Forcing or requiring an employer to assign particular  
15 work to employees in a particular employee organization or in a  
16 particular trade, craft, or class rather than to employees in  
17 another employee organization or in another trade, craft, or class,  
18 unless such employer is failing to conform to an order or  
19 certification of the board determining the bargaining  
20 representative for employees performing such work.

21 For the purposes of this subsection (4), nothing contained in  
22 this subsection shall be construed to prohibit publicity, other  
23 than picketing, for the purpose of truthfully advising the public,  
24 including consumers and members of an employee organization, that  
25 a product is produced by an employer with whom the employee  
26 organization has a primary dispute and is distributed by another

1 employer, as long as the publicity does not have the effect of  
2 inducing an individual employed by any person other than the  
3 primary employer, in the course of his or her employment, to refuse  
4 to pick up, deliver, or transport any goods, or not to perform any  
5 services at the establishment of the employer engaged in such  
6 distribution, and as long as such publicity does not have the  
7 effect of requesting the public to cease patronizing such other  
8 employer. However, publicity which includes picketing and has the  
9 effect of requesting the public to cease patronizing such other  
10 employer, shall be permitted only if the employee organization is  
11 currently certified as the representative of the primary employer's  
12 employees. Publicity other than picketing, but including peaceful  
13 distribution of literature, which has the effect of requesting the  
14 public to cease patronizing such other employer, shall be permitted  
15 only if the employee organization has not lost an election for the  
16 primary employer's employees within the preceding twelve-month  
17 period, and no other employee organization is currently certified  
18 as the representative of the primary employer's employees. Nothing  
19 contained in this subsection shall be construed to prohibit  
20 publicity, including picketing, which may not be prohibited under  
21 the United States Constitution or the Washington Constitution;"

22           Renumber the subsections consecutively and correct any  
23 internal references accordingly.

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1           On page 10, beginning on line 21, strike all material through  
2 "boycott." on line 22

EFFECT: Deletes the provisions that permitted employees to engage in secondary boycotts. Adds provisions that (1) make it an unfair labor practice for an employee organization to engage in specified secondary boycott activities; and (2) regulate picketing activities.