

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2417 Session of
2004

INTRODUCED BY VEON, BELFANTI, DeWEESE, SOLOBAY, FABRIZIO, MANN,
LaGROTTA, GEORGE, SHANER, LAUGHLIN, BEBKO-JONES, WASHINGTON,
CASORIO, GRUCELA, GOODMAN, YUDICHAK, SCRIMENTI, WALKO,
YOUNGBLOOD, FREEMAN, LEACH, LEVDANSKY, KELLER, CURRY, SURRA
AND TANGRETTI, MARCH 15, 2004

REFERRED TO COMMITTEE ON LABOR RELATIONS, MARCH 15, 2004

AN ACT

1 Amending the act of June 2, 1937 (P.L.1198, No.308), entitled
2 "An act relating to employes and organizations thereof;
3 defining labor disputes; prescribing the procedure by which
4 and the conditions under which injunctions may be granted in
5 such disputes, and the scope thereof; declaring certain
6 undertakings and promises between employers and employes
7 contrary to public policy and void; prescribing the nature of
8 proof necessary in actions arising out of labor disputes
9 against persons or associations; prescribing the terms and
10 conditions for bonds to be furnished prior to the issuance of
11 injunctions; prescribing the procedure in case of appeal from
12 granting injunctions; limiting the duration of temporary and
13 permanent injunctions in case of labor disputes; and
14 providing for the payment of costs; and repealing all acts or
15 parts of acts inconsistent herewith," further providing for
16 injunctions in case of labor disputes and lawful picketing
17 during labor strikes.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Section 4 introductory paragraph and subsection
21 (d) of the act of June 2, 1937 (P.L.1198, No.308), known as the
22 Labor Anti-Injunction Act, amended June 9, 1939 (P.L.302,
23 No.163), is amended to read:

24 Section 4. No court of this Commonwealth shall have

1 jurisdiction to issue any restraining order or temporary or
2 permanent injunction in a case included within this act, except
3 in strict conformity with the provisions of this act, nor shall
4 any such restraining order or temporary or permanent injunction
5 be issued in a labor dispute solely upon the basis of conduct
6 involving a trespass or contrary to the public policy declared
7 in this act. Exclusive jurisdiction and power to hear and
8 determine all actions and suits coming under the provisions of
9 this act, shall be vested in the courts of common pleas of the
10 several counties of this Commonwealth: Provided, however, That
11 this act shall not apply in any case--

12 * * *

13 (d) Where in the course of a labor dispute as herein
14 defined, an employe, or employes acting in concert, or a labor
15 organization, or the members, officers, agents, or
16 representatives of a labor organization or anyone acting for
17 such organization, seize, hold, damage, or destroy the plant,
18 equipment, machinery, or other property of the employer with the
19 intention of compelling the employer to accede to any demands,
20 conditions, or terms of employment, or for collective
21 bargaining: Provided, however, That organized mass picketing
22 that does not deny access to premises shall not be considered
23 holding or seizure of property.

24 Section 2. Section 6(e) of the act is amended to read:

25 Section 6. No court of this Commonwealth shall have
26 jurisdiction or power in any case involving or growing out of a
27 labor dispute to issue any restraining order or temporary or
28 permanent injunction which, in specific or general terms,
29 restrains or prohibits any person, association or corporation
30 from doing, whether singly or in concert with others,

1 notwithstanding any promise, undertaking, contract or agreement
2 to the contrary, any of the following acts:

3 * * *

4 (e) Giving publicity to, and obtaining or communicating
5 information regarding the existence of, or the facts or merits
6 involved in, any labor dispute, whether by advertising, speaking
7 or picketing or patrolling any public or quasi-public street or
8 place where any person or persons may lawfully be, or by any
9 other method not involving misrepresentation, fraud, duress,
10 violence, breach of the peace or threat thereof.

11 * * *

12 Section 3. This act shall take effect in 60 days.