



September 1995 Special Session

**ASSEMBLY AMENDMENT 13,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO ASSEMBLY BILL 1**

September 27, 1995 – Offered by Representative CARPENTER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 30, line 9: after that line insert:

3 **“229.683 Strikebreakers, replacement players. (1)** In this section:

4 (a) “Collective bargaining” means the performance of the mutual obligation of  
5 an employer, by that employer’s officers and agents, and the representatives of that  
6 employer’s employes to meet and confer at reasonable times, in good faith, with the  
7 intention of reaching an agreement, or of resolving questions arising under an  
8 agreement, with respect to wages, hours and conditions of employment, or  
9 concerning the representation of employes in negotiating, maintaining, changing or  
10 seeking to arrange wages, hours and conditions of employment.

11 (b) “Employee” means a major league professional baseball player.

12 (c) “Employer” means a major league professional baseball team franchise that  
13 engages the services of an employe.

14 (d) “Labor dispute” means a strike or a lockout arising out of a controversy  
15 concerning wages, hours or conditions of employment, or concerning the

1 representation of persons in negotiating, maintaining, changing or seeking to  
2 arrange wages, hours or conditions of employment.

3 (e) “Labor organization” means any employe organization in which employes  
4 participate that exists for the purpose, in whole or in part, of engaging in collective  
5 bargaining with employers concerning grievances, labor disputes and wages, hours  
6 and conditions of employment.

7 (f) “Lockout” means the barring of one or more employes belonging to a labor  
8 organization from their employment by an employer as a part of a labor dispute.

9 (g) “Strike” means a concerted work stoppage by employes, a concerted  
10 slowdown or other concerted interruption of operations or services by employes, or  
11 a concerted refusal by employes to perform their usual duties as employes,  
12 authorized or condoned by a labor organization for the purpose of enforcing demands  
13 upon an employer.

14 (h) “Strikebreaker” means any person who at least twice during the previous  
15 12-month period has accepted employment for the duration of a strike or a lockout  
16 in place of employes who are involved in a strike or lockout of a specific employer.

17 **(2)** Notwithstanding any contracts or other agreements entered into between  
18 a district and an employer under s. 229.68:

19 (a) No employer may use a baseball park facility if the employer offers, or  
20 grants, the status of permanent employe to a person who during a strike or a lockout  
21 performed for the employer the duties of an employe in place of that employe.

22 (b) No employer may use a baseball park facility if the employer offers, or  
23 grants, any employment preference to any person who during a strike or a lockout  
24 was employed by the employer, or who during a strike or a lockout indicated a

1 willingness to be employed by the employer, over a person to whom all of the following  
2 apply:

3 1. That person was an employe of the employer when the strike or lockout  
4 began.

5 2. That person has exercised through the labor organization that was involved  
6 in the strike or lockout any right guaranteed under s. 111.04, 111.70 (2) or 111.82.

7 3. That person is working for, or has unconditionally offered to return to work  
8 for, the employer.

9 **(3)** Notwithstanding any contracts or other agreements entered into between  
10 a district and an employer under s. 229.68, the provisions of s. 103.545 (2) to (6), as  
11 they apply to a strikebreaker and an employer under that section, apply to an  
12 employer and a strikebreaker under this section.”

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(END)