

1979 Assembly Bill 249

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## CHAPTER 322, Laws of 1979

AN ACT to create 103.545 of the statutes, relating to the recruitment of strike breakers for employment and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 103.545 of the statutes is created to read:

**103.545 Recruitment of strikebreakers.** (1) In this section:

(a) "Employer" has the meaning given under s. 111.02 (2).

(b) "Strikebreaker" means any person who at least twice during the previous 12-month period has accepted employment for the duration of a strike or a lockout in place of employes who are involved in a strike or lockout of a specific employer, but does not include any supervisory or other permanent employe of the employer who is temporarily assigned to perform the duties of an employe involved in a strike or lockout or other permanent or contractual employe whose services are necessary to ensure that the plant or other property of the employer involved in the strike or lockout is properly maintained and protected for the resumption of normal operations at any time.

(2) No employer may knowingly employ or contract with another to employ any strikebreaker to replace employes who are on strike against the employer or locked out by it.

(3) No person who is not directly involved in a strike or lockout may recruit any strikebreaker for employment or secure or offer to secure employment for any strikebreaker when the purpose thereof is to have the strikebreaker replace an employe in an industry or establishment where a strike or lockout exists.

(4) No person, including a licensed employment agent, may transport or arrange to transport to this state any strikebreaker to be engaged in employment for the purpose of replacing employes in an industry or establishment where a strike or lockout exists.

(5) Whoever violates this section or any order of the department issued under this section may be fined not more than \$2,000 or imprisoned in the county jail for not more than one year or both.

(6) Upon complaint of an affected employer, labor organization or employe, the department may investigate violations and issue orders to enforce this section. The investigations and orders shall be made under ss. 101.01 to 101.25. Every order issued under this subsection has the same force and effect as orders issued under ss. 101.01 to 101.25,

except as otherwise provided in this section. Orders are subject to review as provided in ch. 227. The department of justice may, upon request of the commission, prosecute violations of this section in any court of competent jurisdiction.

**SECTION 2. Program citation.** Under the listing of program responsibilities specified for the department of justice in section 15.251 (intro.) of the statutes, reference to section "103.545 (6)" is inserted.

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