

U.S.

○ NATIONAL LABOR RELATIONS ACT

STATUTORY CITATION: 29 USC §§ 151 – 169

GENERAL SUMMARY: The National Labor Relations Act affirms the right of most U.S. workers to full freedom of association, self-organization and representation of their own choosing, for the purpose of negotiating terms and conditions of their employment. This law defines certain unfair labor practices by both employers and labor organizations, establishes election procedures to determine the workers' wishes regarding union representation for collective bargaining purposes, and prescribes legal mechanisms for preventing unfair labor practices.

PROVISIONS APPLICABLE TO AGRICULTURE: The National Labor Relations Act **does not apply** to any individual employed as an agricultural laborer.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *National Labor Relations Board, Washington, D.C. 20570.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Colorado

○ LABOR PEACE ACT

STATUTORY CITATION: Colo. Rev. Stat. §§ 8-3-101 – 8-3-123

GENERAL SUMMARY: In the interest of industrial peace, regular and adequate income for the worker, and uninterrupted production of goods and services, the Labor Peace Act enumerates the organizational and other labor rights of employees, outlines procedures for state-supervised union elections, defines unfair labor practices by employers and workers, prescribes measures for the prevention of such practices, and provides for the arbitration or mediation of labor disputes.

PROVISIONS APPLICABLE TO AGRICULTURE: The Labor Peace Act **does not apply** to farm and ranch labor.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Labor Standards and Statistics, Colorado Department of Labor and Employment, Denver, Colorado 80202.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Connecticut

○ CONNECTICUT LABOR RELATIONS ACT

STATUTORY CITATION: Conn. Gen. Stat. §§ 31-101 – 31-111b

GENERAL SUMMARY: The Connecticut Labor Relations Act defines the labor rights of employees in the state, describes certain acts prohibited as unfair labor practices, outlines a process for the conduct of representational elections, and creates a state labor relations board to administer and enforce the Act's provisions.

PROVISIONS APPLICABLE TO AGRICULTURE: The Connecticut Labor Relations Act **does not apply** to individuals employed as agricultural workers or to persons engaged in farming.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Connecticut State Board of Labor Relations, Connecticut Department of Labor, Wethersfield, Connecticut 06109.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Florida

● **STATE LABOR LAWS (LABOR ORGANIZATIONS)**

STATUTORY CITATION: Fla. Stat. §§ 447.01–447.17

GENERAL SUMMARY: Chapter 447 of the state statutes regulates the activities and affairs of labor unions in Florida, affirms the right of workers in the state to self-organization and collective bargaining, upholds the right to strike under certain circumstances, and imposes limitations on union and anti-union activities. Insofar as it is recognized as a bargaining agent by one or more employers doing business in the state, a labor organization which has Florida residents among its membership and which is organized for the purpose of dealing with employers concerning hours of employment, wages, working conditions or worker grievances is subject to regulation, including annual registration and reporting, financial recordkeeping responsibilities, and other requirements and restrictions.

PROVISIONS APPLICABLE TO AGRICULTURE: To the extent it is recognized as a bargaining agent by one or more employers, a farm labor union is regarded as a labor organization and regulated to the same degree as a non-agricultural union, whether incorporated or not.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Division of Regulation, Department of Business and Professional Regulation, Tallahassee, Florida 32399 (850-488-6603). The Department is responsible for the registration of labor organizations in the state, and for licensing of union business agents.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

PRIVATE CIVIL ACTION — The labor rights conferred on employees under these provisions are enforced in the state civil courts. Any worker aggrieved by an apparent violation should consult a private attorney or public legal service provider.

Hawaii

● HAWAII EMPLOYMENT RELATIONS ACT

STATUTORY CITATION: Haw. Rev. Stat. §§ 377-1 – 377-18

GENERAL SUMMARY: The Hawaii Employment Relations Act (1) affirms the right of most employees in the state to self-organization and collective bargaining, (2) establishes a state-administered process for determining bargaining units and conducting union representation elections (3) defines unfair labor practices by employers and employees, (4) imposes certain recordkeeping responsibilities on labor organizations, and (5) outlines other rights, restrictions and procedures applicable to workers, employers and labor organizations. In general, the Act applies to individuals employed by any employer with 2 or more employees, including those performing agricultural labor or services.

SPECIFIC TERMS AND CONDITIONS

RIGHTS OF EMPLOYEES — Farmworkers and other covered employees in Hawaii have the right of self-organization and the right to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection. Such employees also have the right to refrain from any and all such activities, but employees may be required to join a union under an all-union agreement.

ELECTIONS — Whenever a question arises concerning representation of employees in a collective bargaining unit, the state agency administering the Act must arrange for and supervise a secret-ballot election and certify the results. The ballot must normally include the names of all potential representatives submitted by any employee or group of employees participating in the election, but the ballot must be prepared so as to permit any worker wishing to do so to vote against representation by any party named on the ballot.

REPRESENTATION — Representatives chosen for purposes of collective bargaining by a majority of the employees in a particular bargaining unit are the exclusive representatives of all the workers in the unit for bargaining purposes, but any worker or any minority group of workers in the unit has the right to present grievances to the employer in person or through representatives of their own choosing.

UNFAIR LABOR PRACTICES BY EMPLOYERS — Among other acts, it is unlawful for any employer (1) to interfere with, restrain or coerce its employees in the exercise of the rights mentioned above, (2) to interfere with the administration of a labor organization, or contribute financial support to it, (3) to encourage or discourage union membership by discriminating in hiring, tenure or other terms or conditions of employment, (4) to refuse to bargain in good faith with the representative of a majority of its employees, and (5) to violate the terms of a collective bargaining agreement.

UNFAIR LABOR PRACTICES BY EMPLOYEES — Among other acts, it is unlawful for an employee or group of employees (1) to coerce or intimidate any other worker in the enjoyment of the worker's legal rights, (2) to violate the terms of a collective bargaining agreement, (3) to refuse to accept the final determination of the state administering agency with respect to any issue in controversy, and (4) to engage in an unauthorized strike or picketing.

STRIKE NOTICE — In any instance where a strike by employees of a producer, harvester or processor of any agricultural product produced in the state would tend to cause the destruction or serious deterioration of the product, the employees must give the state agency at least 10 days' notice of their intention to strike. The agency is required to advise the employer immediately of such notice.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Hawaii Labor Relations Board, Honolulu, Hawaii 96813 (808-586-8610)*. The Board has authority to hold hearings for the purpose of determining appropriate collective bargaining units and to order and supervise union representation elections. The Board is responsible for investigating unfair labor practice charges filed by any party in interest, for issuing orders or decisions in response to such charges, and for petitioning the state courts, when necessary, to enforce such orders or decisions.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Massachusetts

● STATE LABOR RELATIONS LAW

STATUTORY CITATION: Mass. Gen. Laws Ch. 150A, §§ 1 – 12

GENERAL SUMMARY: With the aim of mitigating and eliminating obstructions to the free flow of industry and trade, the State Labor Relations Law encourages the practice of collective bargaining in Massachusetts and protects employees' exercise of freedom of association, self-organization, and designation of collective bargaining representatives of their own choosing. Among other provisions, the law affirms the labor rights of employees, defines certain unfair labor practices, prescribes procedures for the prevention of unfair labor practices, and establishes a state-administered mechanism for determining appropriate bargaining units and holding representational elections.

PROVISIONS APPLICABLE TO AGRICULTURE

REPRESENTATION AND ELECTIONS — Whenever a question arises concerning the representation of agricultural workers employed by a person or firm with a permanent hired workforce of more than 4 agricultural workers (other than members of the employer's family), the state administering agency must arrange for a secret-ballot election or other appropriate means of resolving the question. Representatives designated or selected for collective bargaining purposes by the majority of the employer's workers are the exclusive representatives of all the employer's workers for such purposes, though any individual worker or group of workers retains the right at any time to present grievances to the employer directly.

WORKER RIGHTS — The section of the law which affirms the right of employees to self-organization, to form, join and assist labor organizations, and to bargain collectively over terms and conditions of their employment, **does not apply** to agricultural workers.

UNFAIR LABOR PRACTICES — Those sections of the law which define and prohibit certain unfair labor practices by employers and employees **do not apply** to agricultural workers.

PREVENTION OF UNFAIR LABOR PRACTICES — The prescribed procedures for filing, investigating and resolving unfair labor practice charges **do not apply** to agricultural workers.

SPECIAL NOTES OR ADVISORIES

INTERPRETATION OF AGRICULTURAL WORKER EXEMPTION — Since the Labor Relations Law does guarantee the right of a majority of workers on farms with more than 4 permanent agricultural employees to be represented for purposes of collective bargaining, and provides that representatives so chosen must represent all the workers in the bargaining unit, it can be argued that the provisions in the law that define and prohibit unfair labor practices also apply, and that the Department of Labor Relations can enforce them in those cases. The courts have not yet interpreted how these provisions apply to farm labor, and the Department is not aware of any agricultural workers organized under this law.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Massachusetts Department of Labor Relations, Boston, Massachusetts 02114 (617-626-7132).* With respect to covered agricultural workplaces, the Department is authorized (1) to investigate petitions, either from subject employers or from covered workers, requesting certification or decertification of a labor organization, (2) to arrange elections for settling questions of representation, and (3) to certify to the parties, in writing, the name of the representatives who have been designated or selected.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Minnesota

○ MINNESOTA LABOR RELATIONS ACT

STATUTORY CITATION: Minn. Stat. §§ 179.01 – 179.17

GENERAL SUMMARY: The Minnesota Labor Relations Act (1) affirms the right of most workers in the state to organize, to bargain collectively through representatives of their own choosing, and to engage in related labor activities, (2) affirms the right of most employers to associate together for collective bargaining purposes, (3) defines certain unlawful labor practices by employers and workers, (4) establishes state-administered procedures for determining appropriate bargaining units and holding secret-ballot representational elections, and (5) authorizes civil actions to prevent or eliminate unfair labor practices.

PROVISIONS APPLICABLE TO AGRICULTURE: The Minnesota Labor Relations Act **does not apply** to individuals employed in agricultural labor.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Minnesota Bureau of Mediation Services, St. Paul, Minnesota 55108.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

New York

○ NEW YORK STATE EMPLOYMENT RELATIONS ACT

STATUTORY CITATION: N.Y. Labor Law §§ 700 – 718

GENERAL SUMMARY: In order to encourage collective bargaining and to protect employees in the exercise of freedom of association, self-organization and representation, the New York State Employment Relations Act explicitly enumerates the labor rights of employees in the state, defines certain unfair labor practices by employers, establishes a state-administered framework for conducting representational elections, and outlines procedures for preventing, reporting and resolving unfair labor practices.

PROVISIONS APPLICABLE TO AGRICULTURE: The New York State Employment Relations Act **does not apply** to individuals employed as farm laborers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *New York State Public Employment Relations Board, Albany, New York 12220.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

North Dakota

○ NORTH DAKOTA LABOR-MANAGEMENT RELATIONS ACT

STATUTORY CITATION: N.D. Cent. Code §§ 34-12-01 – 34-12-14

GENERAL SUMMARY: The North Dakota Labor-Management Relations Act affirms the right of most employees in the state to self-organize, to form and join labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for their mutual aid or protection. Workers also enjoy the right to refrain from such activities. The Act defines certain unfair labor practices and authorizes the state labor commissioner to accept and resolve complaints charging any such practice. The commissioner also has the power to call and conduct secret-ballot elections among workers covered by the Act whenever a question of representation is raised or a dispute arises regarding authorization to strike.

PROVISIONS APPLICABLE TO AGRICULTURE: The Labor-Management Relations Act **does not apply** to agricultural laborers or farmers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *North Dakota Department of Labor and Human Rights, Bismarck, North Dakota 58505.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Oregon

○ LABOR RELATIONS LAW

STATUTORY CITATION: Or. Rev. Stat. §§ 663.005 – 663.325

GENERAL SUMMARY: Chapter 663 of the state statutes defines certain unfair labor practices by employers and labor organizations, and establishes an administrative structure for determining appropriate collective bargaining units, for holding state-supervised employee elections to decide questions concerning union representation, and for resolving charges of unfair labor practices.

PROVISIONS APPLICABLE TO AGRICULTURE: Oregon's labor relations law **does not apply** to persons employed in agricultural labor.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Oregon Employment Relations Board, Salem, Oregon 97301.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Pennsylvania

○ PENNSYLVANIA LABOR RELATIONS ACT

STATUTORY CITATION: 43 Pa. Stat. §§ 211.1 – 211.13

GENERAL SUMMARY: The Pennsylvania Labor Relations Act guarantees the right of most employees in the state to self-organize, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining and other mutual aid or protection. The Act forbids employers and labor organizations from engaging in certain specified unfair labor practices and sets up an administrative framework for resolving unfair labor practice charges lodged by workers, labor organizations and employers, and for conducting state-supervised elections to settle questions of representation.

PROVISIONS APPLICABLE TO AGRICULTURE: The Pennsylvania Labor Relations Act **does not apply** to individuals employed as agricultural laborers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Pennsylvania Labor Relations Board, Pennsylvania Department of Labor and Industry, Harrisburg, Pennsylvania 17121.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

Puerto Rico

● PUERTO RICO LABOR RELATIONS ACT

STATUTORY CITATION: 29 Laws P.R. Ann. §§ 61 – 76

GENERAL SUMMARY: The Puerto Rico Labor Relations Act defines the organizational rights of covered employees, provides for the settlement of questions concerning employee representation, defines certain unfair labor practices, and establishes procedures for resolving charges by workers and employers alleging such practices. The Act generally applies to all employees in Puerto Rico's public corporations, and to non-governmental employees not covered by the National Labor Relations Act (*see entry, U.S.—Labor Relations & Collective Bargaining—General Labor Relations*).

SPECIFIC TERMS AND CONDITIONS

LABOR RIGHTS — Private agricultural and non-agricultural workers have the right to self-organize, to form, join and assist labor organizations, to bargain collectively with their employers through representatives of the workers' own choosing, and to engage in related activities for their mutual aid and protection.

REPRESENTATIVES AND ELECTIONS — Whenever a question concerning representation of employees arises, the agency responsible for administering the Act may investigate and settle the question, by ordering a secret-ballot election or by taking appropriate alternative measures. In every such election, the ballot must be prepared so as to permit a vote against representation by anyone named on the ballot. An entity designated or elected for collective bargaining purposes by a majority of the workers in a given bargaining unit is considered the exclusive representative of all the workers in the unit, but an individual worker still has the right at any time to present individual grievances to his or her employer.

UNFAIR LABOR PRACTICES BY EMPLOYERS — Among other acts, it is illegal for an employer (1) to coerce, restrain or interfere with employees in the exercise of the rights outlined above, (2) to attempt to dominate or interfere with the formation or administration of a labor organization, or contribute support to a labor organization, (3) to attempt to encourage or discourage membership in a labor organization, (4) to refuse to bargain collectively with the representative of a majority of the employees in a particular bargaining unit, or (5) to violate the terms of a collective bargaining contract.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Puerto Rico Labor Relations Board, San Juan, Puerto Rico 00919 (787-620-9545)*. It is the role of the Board to receive and act on petitions for union elections and otherwise resolve representational disputes between workers and employers. Likewise, the Board must respond to unfair labor practice charges by appropriate investigation, fact-finding hearings and conciliation meetings, and may order suitable corrective action whenever a violation is confirmed.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None*.

Rhode Island

○ RHODE ISLAND STATE LABOR RELATIONS ACT

STATUTORY CITATION: 28 R.I. Gen. Laws §§ 28-7-1 – 28-7-49

GENERAL SUMMARY: The Rhode Island State Labor Relations Act explicitly grants most employees the right to organize, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities free from interference, restraint or coercion. The Act prohibits employers from committing certain specified unfair labor practices and establishes procedures for reporting and resolving complaints alleging any such conduct. The state agency created to administer and enforce the Act is also authorized to settle controversies concerning representation, through supervised secret-ballot elections or other appropriate means.

PROVISIONS APPLICABLE TO AGRICULTURE: The Rhode Island State Labor Relations Act **does not apply** to farm labor.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Rhode Island State Labor Relations Board, Rhode Island Department of Labor and Training, Cranston, Rhode Island 02920.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

South Dakota

○ COLLECTIVE BARGAINING LAW

STATUTORY CITATION: S.D. Codified Laws §§ 60-9A-1 – 60-9A-14

GENERAL SUMMARY: Chapter 9A of the South Dakota labor statutes guarantees most workers in the state the right to self-organize, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other lawful concerted activities for their mutual aid or protection. Workers are also free to refrain from any or all such activities.

Whenever a question of representation arises, either upon the filing of a petition by any party to such a dispute or otherwise, the law authorizes the state labor department to conduct a secret-ballot election to determine whether or not a majority of the workers wish to be represented, and if so, by whom. The law also defines certain unfair labor practices by both employers and labor organizations.

PROVISIONS APPLICABLE TO AGRICULTURE: South Dakota's collective bargaining law **does not apply** to farm and ranch labor.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – Division of Labor and Management, South Dakota Department of Labor and Regulation, Pierre, South Dakota 57501.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – None.

Utah

○ EMPLOYMENT RELATIONS LAW

STATUTORY CITATION: Utah Code §§ 34-20-1 – 34-20-13

GENERAL SUMMARY: Chapter 20 of the Utah labor laws authorizes the state labor relations board (1) to determine appropriate employment units for collective bargaining purposes, (2) to settle controversies regarding the will of the workers in any such unit to be represented by a collective bargaining agent, either by arranging a secret-ballot election or by other means, and (3) to receive, investigate, and pass judgment on complaints charging certain prohibited labor practices. The statute affirms the right of most employees in the state to self-organize, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for mutual aid or protection; employees also have a right to refrain from any or all such activities.

PROVISIONS APPLICABLE TO AGRICULTURE: Utah's employment relations law **does not apply** to anyone employed as an agricultural laborer.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Utah Labor Relations Board, Salt Lake City, Utah 84114.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Vermont

○ STATE LABOR RELATIONS ACT

STATUTORY CITATION: Vt. Stat. Title 21, §§ 1501 - 1624

GENERAL SUMMARY: The State Labor Relations Act assures most private-sector workers in Vermont who (1) have 5 or more employees, and (2) are not covered by the National Labor Relations Act, the right to organize, to join and assist labor organizations, to bargain collectively through representatives of their own choice, and to engage in other concerted activities for their mutual aid and protection. The Act prescribes an administrative framework for resolving questions of representation through state-supervised secret-ballot elections, and for preventing and eliminating unfair labor practices by employers and labor organizations.

PROVISIONS APPLICABLE TO AGRICULTURE: The State Labor Relations Act **does not apply** to agricultural laborers.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Vermont Labor Relations Board, Montpelier, Vermont 05633.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

West Virginia

○ LABOR-MANAGEMENT RELATIONS ACT FOR THE PRIVATE SECTOR

STATUTORY CITATION: W. Va. Code §§ 21-1A-1 – 21-1A-8

GENERAL SUMMARY: The Labor-Management Relations Act for the Private Sector encourages the practice of collective bargaining in most trades and industries in West Virginia, by (1) protecting the right of workers to freely associate, self-organize, and designate representatives of their own choosing for the purpose of negotiating terms and conditions of employment, (2) establishing procedures for determining, through secret-ballot elections, the will of the workers in any appropriate bargaining unit to be represented by a labor organization or not, (3) defining and outlawing unfair labor practices by both employers and labor organizations, and (4) prescribing procedures for receiving, investigating and resolving unfair labor practice charges.

PROVISIONS APPLICABLE TO AGRICULTURE: The Labor-Management Relations Act **does not apply** to individuals employed in agricultural production, or in the processing or marketing of agricultural products by the producer.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Division of Labor, West Virginia Department of Commerce, Charleston, West Virginia 25305.*

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*

Wisconsin

● EMPLOYMENT PEACE ACT

STATUTORY CITATION: Wis. Stat. §§ 111.02 – 111.19

GENERAL SUMMARY: The Employment Peace Act establishes standards for the conduct of private-sector labor relations in Wisconsin and provides a state-administered mechanism for resolving conflicts over the respective rights and obligations of private-sector employees, employers and labor organizations. The Act applies to virtually all private employment other than domestic service in the home.

SPECIFIC TERMS AND CONDITIONS

RIGHTS OF EMPLOYEES — Employees have the right to organize, to form, join and assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other lawful activities for mutual aid or protection. Workers are also entitled to refrain from any or all such activities.

Effective March 11, 2015, employees cannot be required to make any payments to a labor organization, nor can employee payments to a labor organization be required as a condition of obtaining or continuing employment.

REPRESENTATIVES AND ELECTIONS — Whenever a worker, a group of workers, or an employer, through a formal petition to the state administering agency, raises a question concerning the will of the workers to be represented for collective bargaining purposes, the state agency is required to respond by arranging a secret-ballot election to resolve the issue. The names of all persons or organizations submitted by any of the workers participating in the election must appear on the ballot, and workers must also be given the option of voting against representation by anyone named on the ballot. Representatives chosen by a majority of the workers in a collective bargaining unit are the exclusive representatives of all employees in the unit for collective bargaining purposes, though any worker or minority group of workers still has the right to present grievances at any time to their employer in person or through representatives of their own choosing.

UNFAIR LABOR PRACTICES BY EMPLOYERS — Among other acts, it is unlawful for an employer (1) to interfere with, restrain or coerce employees in the exercise of the rights outlined above, (2) to dominate or interfere with the formation or administration of a labor organization, or contribute financial support to it, (3) to encourage or discourage membership in a labor organization by discriminating in regard to hiring, tenure or other terms or conditions of employment, (4) to refuse to bargain with the representative of a majority of the workers in a bargaining unit, or (5) to violate the terms of a collective bargaining agreement.

AGRICULTURAL STRIKES — Where the exercise of the right to strike by agricultural workers would tend to cause the destruction or serious deterioration of farm products produced in Wisconsin, the workers must give the state agency at least 10 days' notice of their intention to strike. The agency must immediately notify the employer of receipt of such notice, and must take immediate steps to mediate the dispute or induce the parties to submit the controversy to arbitration if mediation is unsuccessful.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY – *Wisconsin Employment Relations Commission, Madison, Wisconsin 53704 (608-243-2424).* The Commission is responsible for overseeing the general conduct of labor relations and collective bargaining activities in the state, for resolving specific questions regarding employee representation, and for resolving unfair labor practice complaints. Any worker who believes his or her rights under the Employment Peace Act have been abridged or violated may file a complaint with the Commission, which is authorized to hold investigatory hearings, subpoena witnesses and documents, take sworn testimony, and order appropriate corrective action by any respondent found in violation.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY – *None.*