

CHAPTER 94

GOVERNMENT - STATE

HOUSE BILL 08-1189

BY REPRESENTATIVE(S) Riesberg, Jahn, Labuda, and Rice;
also SENATOR(S) Gibbs, Cadman, and Johnson.

AN ACT

CONCERNING A PROHIBITION OF STRIKES AGAINST EMPLOYERS WHOSE EMPLOYEES ARE IN THE STATE PERSONNEL SYSTEM.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-1-101, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

8-1-101. Definitions. As used in this article, unless the context otherwise requires:

(14) "STATE PERSONNEL SYSTEM" MEANS THE PERSONNEL SYSTEM OF THE STATE AS DESCRIBED IN SECTION 13 OF ARTICLE XII OF THE STATE CONSTITUTION AND THE STATE PERSONNEL SYSTEM AS DESCRIBED IN ARTICLE 50 OF TITLE 24, C.R.S.

SECTION 2. 8-1-126, Colorado Revised Statutes, is amended to read:

8-1-126. Lockouts and strikes unlawful - when. (1) IT IS UNLAWFUL FOR ANY EMPLOYEE IN THE STATE PERSONNEL SYSTEM OR FOR ANY LABOR ORGANIZATION, THROUGH FORMAL ACTION OR THROUGH ITS AGENTS, TO INCITE, ENCOURAGE, AID, OR PARTICIPATE IN A STRIKE, STOPPAGE OF WORK, SLOWDOWN, OR INTERRUPTION OF OPERATIONS BY EMPLOYEES IN THE STATE PERSONNEL SYSTEM.

(2) It is unlawful for any employer to declare or cause a lockout, or for any employee to go on strike, on account of any dispute prior to or during an investigation, hearing, or arbitration of such dispute by the director, or the board, under the provisions of this article. Nothing in this article shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lockout or strike, or to prohibit the

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

suspension or discontinuance of any industry or of the working of any person therein, which industry is not affected with a public interest. Nothing in this article shall be held to restrain any employer from declaring a lockout, or any employee, EXCEPT AN EMPLOYEE WHO IS IN THE STATE PERSONNEL SYSTEM, from going on strike in respect to any dispute after the same has been duly investigated, heard, or arbitrated, under the provisions of this article.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 3, 2008