

Florida

■ **STATE LABOR LAWS (*LABOR ORGANIZATIONS*)**

TERMS: Agricultural and non-agricultural workers in Florida have the right to organize, to bargain with their employers over the terms and conditions of employment, and, with certain limitations, to go on strike.

Every labor organization which has Florida residents among its membership, which is organized for the purpose of dealing with employers concerning wages, hours, working conditions or worker complaints, and which is recognized as a bargaining agent by one or more employers doing business in the state, is required to register with the state each year and to comply with prescribed recordkeeping, reporting and other requirements.

ENFORCEMENT: *Division of Regulation, Department of Business and Professional Regulation, Tallahassee, Florida 32399 (850-488-6603)*. This agency is responsible for enforcing union registration, recordkeeping and reporting requirements, and for licensing union business agents.

Workers who believe that their labor rights have been denied or limited in violation of the law should consult a private attorney or a public legal services program about the possibility of legal action in civil court.

Hawaii

■ HAWAII EMPLOYMENT RELATIONS ACT

TERMS:

Worker Rights — Employees in Hawaii (including agricultural workers) who work for an employer with 2 or more employees have a right to self-organize, to form, join or assist labor organizations, and to bargain as a group with their employer through representatives of their own choosing concerning the terms and conditions of employment. While they may be required to join a union under the terms of a labor contract, such workers also have a right not to involve themselves in any or all of these activities.

Representation Elections — Whenever there is a question regarding representation of employees on a particular farm or at a particular workplace, 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 worker or group of workers participating in the election, but the ballot must allow any worker wishing to do so to vote against representation by any party named on the ballot. Representatives chosen by a majority of the employees are the exclusive representatives of all the workers in the unit for purposes of negotiating with the employer, but any worker or any minority group of workers has the right to present grievances to the employer in person or through representatives of their own choosing.

Prohibited Acts — Among other prohibited acts, it is illegal for employers to interfere with their workers in the exercise of the rights mentioned above, or to encourage or discourage union membership by discriminating with respect to hiring or other terms or conditions of employment. It is also unlawful for employers to refuse to bargain in good faith with the representative of a majority of their workers, or to violate the terms of a union contract.

Agricultural Strikes — Where a strike against a producer, harvester or processor of any agricultural product produced in Hawaii could lead to the loss of the crop or product, the workers must give the state agency at least 10 days' notice of their intention to strike. The agency is required to notify the employer immediately of such notice.

ENFORCEMENT: *Hawaii Labor Relations Board, Honolulu, Hawaii 96813 (808-586-8610).*

Massachusetts

■ STATE LABOR RELATIONS LAW

TERMS: Whenever there is a dispute concerning the representation of farmworkers employed by a person or firm with more than 4 agricultural workers, the state must arrange for a secret-ballot election or other appropriate means of resolving the question.

Representatives selected by the majority of the employer's workers for purposes of negotiating with the employer over terms and conditions of the job are the exclusive representatives of all the employer's workers for such purposes. However, any individual worker or group of workers has the right at any time to present complaints to the employer directly.

ENFORCEMENT: *Massachusetts Department of Labor Relations, Boston, Massachusetts 02114 (617-626-7132).*

Puerto Rico

■ PUERTO RICO LABOR RELATIONS ACT

TERMS:

Workers' Rights — When employed by private employers and by public corporations operated as private enterprises, agricultural workers have the right to organize, to form, join and assist labor organizations, and to negotiate with their employers, through representatives of the workers' own choosing, over the terms and conditions of their employment.

Representation Elections — Whenever a question concerning representation of a group of workers arises, the agency responsible for administering the Act may order a secret-ballot election or take appropriate alternative measures to determine the will of the workers. A union designated or elected by a majority of the workers in a given place of employment is considered the exclusive representative of all the workers in the workplace, but an individual worker still has the right at any time to present individual complaints or concerns to his or her employer.

Prohibited Acts — Among other acts prohibited by this law, it is illegal for an employer (1) to interfere with workers in any way 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 negotiate with the representative of a majority of the workers in a particular establishment, or (5) to violate the terms of a union contract.

ENFORCEMENT: *Puerto Rico Labor Relations Board, San Juan, Puerto Rico 00919 (787-620-9545).*

SPECIAL NOTE: A person may not fire, discipline or discriminate against a worker because the worker has filed a complaint or made use of any other right granted by this law.

Wisconsin

■ EMPLOYMENT PEACE ACT

TERMS:

Rights of Employees — Farmworkers and most other employees in Wisconsin have the right to organize, to form, join and assist labor organizations, to negotiate the terms of their employment through representatives of their own choosing, and to involve themselves in other lawful activities for their own benefit. Workers are also entitled not to become involved in any or all such activities. 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 employment relations commission, raises a question concerning the will of the workers to be represented for purposes of bargaining with their employer, the employment relations commission 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 particular workplace or bargaining unit must represent all the workers in the unit for bargaining purposes, though any worker or minority group of workers still has the right to present complaints at any time to their employer in person or through representatives of their own choosing.

Unfair Labor Practices by Employers — Among other prohibited acts, it is unlawful for an employer to interfere with workers in the exercise of the rights outlined above, to dominate or interfere with the formation or administration of a labor organization, to encourage or discourage membership in a labor organization, to refuse to negotiate with the representative of a majority of the workers in a bargaining unit, or to violate the terms of a union contract.

Agricultural Strikes — Any time a strike by agricultural workers could result in the loss of or serious damage to farm products produced in Wisconsin, the workers must give the employment relations commission at least 10 days' notice of their intention to strike. The commission must immediately notify the employer and take immediate steps to resolve the dispute.

ENFORCEMENT: *Wisconsin Employment Relations Commission, Madison, Wisconsin 53704 (608-243-2424).* A worker who believes that his or her rights under the Employment Peace Act have been restricted or violated may file a complaint with the Commission.

SPECIAL NOTE: An employer may not fire, discipline or discriminate in any manner against a worker because the worker has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.