

**§938. Advertising or soliciting for workers during strike or disturbance; exceptions; penalty**

If any employer, during the continuance of a strike among the employer's employees, or during the continuance of a lockout or other labor trouble among the employer's employees, publicly advertises in newspapers, or by posters or otherwise, for employees, or directly or through the employer's agents solicits persons to work for the employer to fill the places of strikers, the employer shall plainly and explicitly mention in the advertisements or oral or written solicitations that a strike, lockout or other labor disturbance exists. If any employee, during the continuance of a strike, lockout or other labor trouble, advertises for or solicits business for a competitor of the employer that is engaged in the labor dispute, the employee shall plainly and explicitly mention in the advertisement or oral or written solicitation that a strike, lockout or other labor disturbance exists. This section ceases to be operative if the board determines that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner and to the normal and usual extent. The board shall determine this question as soon as possible upon the application of the employer. Any person, firm, association or corporation that violates this section must be punished by a fine not less than \$250 nor more than \$500. [PL 2017, c. 475, Pt. A, §43 (AMD).]

**SECTION HISTORY**

PL 1985, c. 294, §§2,3 (NEW). PL 2017, c. 475, Pt. A, §43 (AMD).

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