

(1) GOVERNMENTAL AUTHORITY HAS ALLOWED AND ENCOURAGED EMPLOYERS TO ORGANIZE IN CORPORATE AND OTHER FORMS OF CAPITAL CONTROL; AND

(2) IN DEALING WITH THESE EMPLOYERS, AN INDIVIDUAL WORKER WHO IS NOT REPRESENTED BY AN ORGANIZATION IS HELPLESS TO EXERCISE LIBERTY OF CONTRACT OR TO PROTECT PERSONAL FREEDOM OF LABOR AND, THUS, TO OBTAIN ACCEPTABLE TERMS AND CONDITIONS OF EMPLOYMENT.

(B) STATEMENT OF POLICY.

THE POLICY OF THE STATE IS THAT:

(1) NEGOTIATION OF TERMS AND CONDITIONS OF EMPLOYMENT SHOULD RESULT FROM VOLUNTARY AGREEMENT BETWEEN EMPLOYEES AND EMPLOYER; AND

(2) THEREFORE, EACH INDIVIDUAL WORKER MUST BE:

(I) FULLY FREE TO ASSOCIATE, ORGANIZE, AND DESIGNATE A REPRESENTATIVE, AS THE WORKER CHOOSES, FOR NEGOTIATION OF TERMS AND CONDITIONS OF EMPLOYMENT; AND

(II) FREE FROM COERCION, INTERFERENCE, OR RESTRAINT BY AN EMPLOYER OR AN AGENT OF AN EMPLOYER IN:

1. DESIGNATION OF A REPRESENTATIVE;

2. SELF-ORGANIZATION; AND

3. OTHER CONCERTED ACTIVITY FOR THE PURPOSE OF COLLECTIVE BARGAINING OR OTHER MUTUAL AID OR PROTECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the second through fifth sentences and the second clause of the first sentence of former Art. 100, § 63.

Subsection (a) of this section is revised as a statement of legislative findings, since the provisions revised in subsection (a) seemed to be the bases for, rather than part of, the policy of the State.

In subsection (a)(2) of this section, the clause "who is not represented by an organization" is substituted for the former word "unorganized", to avoid ambiguity.

Also in subsection (a)(2) of this section, the word "or" is substituted for the former word "and", since an infringement on either liberty of contract or personal freedom of labor seemingly would preclude obtaining acceptable conditions of employment.