

# LABOR AND EMPLOYMENT

## CHAPTER 228

H. B. No. 741  
(Paulson and Vinje)

### DEFINITION IN LABOR DISPUTE CASES

#### AN ACT

To amend and reenact section 34-0801 of the North Dakota Revised Code of 1943, relating to labor disputes and providing for definition of the term "strike".

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.**) Section 34-0801 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**34-0801. Definitions.)** In this chapter, unless the context or subject matter otherwise requires:

1. "Labor dispute" shall include any controversy concerning terms or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment whether or not the disputants stand in the proximate relationship of employer and employee;
2. A "person" or "association" shall be held to be a person or association participating or interested in a labor dispute if relief is sought against him or it and if he or it:
  - a. Is engaged in the same industry, trade, craft, or occupation in which such dispute occurs;
  - b. Has a direct or indirect interest in such dispute; or
  - c. Is a member, officer, or agent of any association composed in whole or in part of employers or employees engaged in the trade, industry, craft, or occupation in which such dispute occurs;
3. A "case" shall be held to involve or to grow out of a labor dispute when such case involves persons who are engaged in the same industry, trade, craft, or occupation, or who have a direct or indirect interest therein,

or who are employees of the same employer or who are members of the same or of an affiliated organization of employers or employees, whether such dispute is:

- a. Between one or more employers or associations of employers, and one or more employees or associations of employees;
  - b. Between one or more employers or associations of employers, and one or more employers or associations of employers;
  - c. Between one or more employees or associations of employees, and one or more employees or associations of employees; or when such case involves any conflicting or competing interests of persons participating or interested in a labor dispute; and
4. "Strike" shall mean the temporary stoppage of work by the concerted action of two or more employees as a result of a labor dispute.

Approved March 19, 1957.