



Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

# **LABOR (COLLECTIVE BARGAINING) RELATIONS ACT 2016**

**Introduced by:**

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**SENATOR DAVID PAUL**

**Approved:**

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**PRINTED NAME**

**SIGNATURE**



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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**



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Republic of the Marshall Islands  
*Jepilpilin Ke Ejukaan*

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2016**

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Republic of the Marshall Islands  
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**LABOR (COLLECTIVE BARGAINING) RELATIONS ACT  
2016**

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**A BILL FOR AN ACT** to provide a legal framework for employees in the Republic of the Marshall Islands to engage in collective bargaining and to enter into collective bargaining agreements with their employers; to govern the employer-employee relationship; and for related purposes

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**BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS**

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**§1. Short Title This Act may be cited as the Labor (Collective Bargaining) Relations Act 2016.**

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**§2. Definitions In this Act:**

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(1) **"Person"** includes individuals, partnerships, associations, and corporations;

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(2) **"Employer"** includes all persons employing others and all persons acting in the interest of an employer, including the national or local government, or any political or governmental subdivision thereof, nor any statutory authority or state owned enterprise or any private corporations or entities;

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(3) **"Employee"** includes, in addition to the accepted definition of the word, any employee whose work has ceased because of any unfair labor practice as defined in section on the part of the employer or because of any current labor dispute and who has not obtained other regular and substantially equivalent employment, but does not

1 include any individuals employed by a parent or spouse or in  
2 domestic service of any person at the person's own home;

3 (4) "**Representative of employees**" means a labor organization or one or  
4 more individuals selected by a group of employees for the purpose of  
5 collective bargaining;

6 (5) "**Labor organization**" means any organization of employees which  
7 exists for the purpose, in whole or in part, of collective bargaining or  
8 of dealing with employers concerning grievances or terms or  
9 conditions of employment;

10 (6) "**Labor dispute**" includes any controversy concerning employment,  
11 tenure or conditions or terms of employment or concerning the  
12 association or right of representation of persons in negotiating, fixing,  
13 maintaining, changing, or seeking to arrange terms, tenure, or other  
14 conditions of employment, regardless of whether or not the  
15 relationship of employer and employee exists as to the disputants;

16 (7) "**Strike**" means the temporary stoppage of work by the concerted  
17 action of two or more employees as a result of a labor dispute;

18 (8) "**Lockout**" is the refusal of the employer to furnish work to employees  
19 as a result of a labor dispute;

20 (9) "**Commission**" means the commission established under section 3 of  
21 this Chapter;

22 (10) "**Unfair labor practice**" means an unfair labor practice defined in  
23 sections 12 and 13;

24 (11) "**Competent evidence**" means evidence admissible in a court of  
25 equity and such other evidence other than hearsay as is relevant and  
26 material to the issue and is of such character that it would be  
27 accepted by reasonable persons as worthy of belief;

28 (12) "**Professional strikebreaker**" means any person who makes an offer  
29 to an employer at whose place of business a labor dispute is presently  
30 in progress to work as a replacement for an employee or employees  
31 involved in such labor dispute;

### 32 §3. Establishment of Commission.

33 There is established a commissioner who shall be the Attorney General  
34 appointed pursuant to the Attorney Generals Act.

1     **§4.     Mediation Services**

- 2             (1)     There is established a Mediation Services Commissioner under the  
3                     supervision and control of a commissioner.
- 4             (2)     The commissioner may, from time to time, appoint special mediators  
5                     (Mediation Services Commission) to aid in the settlement of  
6                     particular labor disputes or controversies who shall have the same  
7                     power and authority as the commissioner with respect to such  
8                     dispute and such appointment shall be for the duration only of the  
9                     particular dispute. Such special mediators shall be paid a per diem  
10                    allowance as determined by the commissioner, while so engaged and  
11                    their necessary expenses.

12     **§5.     Powers of commission.**

- 13             (1)     The commission appointed pursuant to section 3 and 4(2) shall have  
14                     the power to issue subpoenas requiring the attendance and testimony  
15                     of witnesses and the production of evidence which relates to any  
16                     matter involved in any such hearing, and may by its chair administer  
17                     oaths and affirmations, and may examine witnesses. Such attendance  
18                     of witnesses and the production of such evidence may be required  
19                     from any place at any designated place of hearing, but whenever  
20                     practical hearings shall be held in the island where the labor dispute  
21                     has arisen or exists.
- 22             (2)     In case of contumacy or refusal to obey a subpoena issued under  
23                     paragraph (1), shall be punishable by the court as contempt thereof.
- 24             (3)     Any party to or party affected by the dispute may appear before the  
25                     commission in person or by attorney or by their representative, and  
26                     shall have the right to offer competent evidence and to be heard on

27     **§6.     Joining Labor Organization; Right to Collective Bargaining.**

- 28             (1)     Employees' right of self-organization. Employees shall have the right  
29                     of self-organization and the right to form, join, or assist labor  
30                     organizations, to bargain collectively through representatives of their  
31                     own choosing, and to engage in lawful, concerted activities for the  
32                     purpose of collective bargaining or other mutual aid or protection;  
33                     and such employees shall have the right to refrain from any and all  
34                     such activities.

- 1 (2) Employers associations. Employers have the right to associate  
2 together for the purpose of collective bargaining.

3 **§7. Collective Bargaining Agreement.**

- 4 (1) Notice. When any employee or employees, or representative of  
5 employees, or labor organization shall desire to negotiate a collective  
6 bargaining agreement, or make any change in any existing  
7 agreement, or shall desire any changes in the rates of pay, rules or  
8 working conditions in any place of employment, it shall give written  
9 notice to the employer of its demand, which notice shall follow the  
10 employer if the place of employment is changed, and it shall  
11 thereupon be the duty of the employer and the representative of  
12 employee or labor organization to endeavor in good faith to reach an  
13 agreement respecting such demand. An employer shall give a like  
14 notice to employees, representative, or labor organizations of any  
15 intended change in any existing agreement. If no agreement is  
16 reached at the expiration of ten days after service of such notice, any  
17 employees, representative, labor organization, or employer may at  
18 any time thereafter petition the commissioner for mediation services  
19 to take jurisdiction of the dispute and it shall be unlawful for any  
20 labor organization or representative to institute or aid in the conduct  
21 of a strike or for an employer to institute a lockout, unless such  
22 petition has been served by the party taking such action upon the  
23 commissioner and the other parties to the labor dispute at least ten  
24 days before the strike or lockout becomes effective. Unless the strike  
25 or lockout is commenced within 90 days from the date of service of  
26 the petition upon the commissioner, it shall be unlawful for any of  
27 the parties to institute or aid in the conduct of a strike or lockout  
28 without serving a new petition in the manner prescribed for the  
29 service of the original petition, provided that the 90-day period may  
30 be extended by written agreement of the parties filed with the  
31 commissioner.

32 A petition by the employer shall be signed by the employer or a duly  
33 authorized officer or agent; and a petition by the employees shall be signed  
34 by their representative or its officers, or by the committee selected to  
35 negotiate with the employer. In either case the petition shall be served by  
36 delivering it to the commissioner in person or by sending it by certified mail  
37 addressed to the commissioner at the commissioner's office. The petition

1 shall state briefly the nature of the dispute and the demands of the party  
2 who serves it. Upon receipt of a petition, the commissioner shall fix a time  
3 and place for a conference with the parties to the labor dispute upon the  
4 issues involved in the dispute, and shall then take whatever steps the  
5 commissioner deems most expedient to bring about a settlement of the  
6 dispute, including assisting in negotiating and drafting a settlement  
7 agreement. It shall be the duty of all parties to a labor dispute to respond to  
8 the summons of the commissioner for joint or several conferences with the  
9 commissioner and to continue in such conference until excused by the  
10 commissioner, not beyond the ten-day period heretofore prescribed except  
11 by mutual consent of the parties.

12 (2) Commissioner, powers and duties. The commissioner may at the  
13 request of either party to a labor dispute render assistance in settling  
14 the dispute without the necessity of filing the formal petition.

## 15 §8. Representatives for Collective Bargaining.

16 (1) To be exclusive. Representatives designated or selected for the  
17 purpose of collective bargaining by the majority of the employees in a  
18 unit appropriate for such purposes shall be the exclusive  
19 representatives of all the employees in such unit for the purposes of  
20 collective bargaining in respect to rates of pay, wages, hours of  
21 employment, or other conditions of employment, provided, that any  
22 individual employee or group of employees shall have the right at  
23 any time to present grievances to their employer in person or through  
24 representatives of their own choosing.

25 (2) Certification of group representative by commissioner. When a  
26 question concerning the representative of employees is raised by an  
27 employee, group of employees, labor organization, or employer the  
28 commissioner of mediation services or any person designated by the  
29 commissioner shall, at the request of any of the parties, investigate  
30 such controversy and certify to the parties in writing, the name or  
31 names of the representatives that have been designated or selected.  
32 The commissioner shall decide in each case whether, in order to  
33 insure to employees the full benefit of their right to self-organization  
34 and to collective bargaining and otherwise to effectuate the purpose  
35 of this chapter, the unit appropriate for the purpose of collective  
36 bargaining shall be the employer unit, craft unit, plant unit; provided,  
37 that any larger unit may be decided upon with the consent of all

1 employers involved, and provided that when a craft exists, composed  
2 of one or more employees then such craft shall constitute a unit  
3 appropriate for the purpose of collective bargaining for such  
4 employee or employees belonging to such craft and a majority of  
5 such employees of such craft may designate a representative for such  
6 unit. Two or more units may, by voluntary consent, bargain through  
7 the same agent or agents with an employer or employers, their agent  
8 or agents. Supervisory employees shall not be considered in the  
9 selection of a bargaining agent. In any such investigation, the  
10 commissioner may provide for an appropriate hearing, and may take  
11 a secret ballot of employees or utilize any other suitable method to  
12 ascertain such representatives, but the commissioner shall not certify  
13 any labor organization which is dominated, controlled, or maintained  
14 by an employer. If the commissioner has certified the representatives  
15 as herein provided, the commissioner shall not be required to again  
16 consider the matter for a period of one year unless it appears to the  
17 commissioner that sufficient reason exists.

18 (3) Witnesses; powers of commissioner. In the investigation of any  
19 controversy concerning the representative of employees for collective  
20 bargaining, the commissioner of mediation services shall have power  
21 to issue subpoenas requiring the attendance and testimony of  
22 witnesses and the production of evidence which relates directly to  
23 any matter involved in any such hearing, and the commissioner or  
24 representative may administer oaths and affirmations, and may  
25 examine witnesses. Such attendance of witnesses and the production  
26 of such evidence may be required from any place at any designated  
27 place of hearing, but hearings shall be held in the High Court.

28 (4) Contempt of court. In case of contumacy or refusal to obey a  
29 subpoena issued under this section, the court where the proceeding is  
30 pending or in which the person guilty of such contumacy or refusal  
31 to obey is found or resides shall have jurisdiction to issue to such  
32 person an order requiring such person to appear and testify or  
33 produce evidence, as the case may require, and any failure to obey  
34 such order of the court may be punished by the court as a contempt  
35 thereof.

1     **§9.     Protection of Collective Bargaining Agreements.**

2           (1)     Agreement protected from intervention. No employer holding a valid  
3           collective bargaining agreement with any labor organization  
4           recognized or certified by the commissioner of mediation services as  
5           the accredited bargaining representative for the employees or any  
6           group of employees of such employer shall be required to enter into  
7           negotiations with any other labor organization respecting the  
8           employees covered by the existing union agreement, so long as the  
9           existing agreement remains in full force and effect in accordance with  
10          its terms except where a successor labor organization has been  
11          certified as the representative of the employees covered by such  
12          agreement by the commissioner of mediation services and recognized  
13          by the employer.

14          (2)     Prohibition against violation. The violation of the provisions of this  
15          section by any officer, business agent, employee or other  
16          representative of any labor organization is prohibited

17     **§10.    Arbitration.**

18           When a labor dispute arises which is not settled by mediation such dispute  
19           may, by written agreement of the parties, be submitted to arbitration on  
20           such terms as the parties may specify, including among other methods the  
21           arbitration procedure under the terms of the Marshall Islands Arbitration  
22           Act or other agreed to procedure. If such agreement so provides, the  
23           commissioner of mediation services may act as a member of any arbitration  
24           tribunal created by any such agreement and, if the agreement so provides,  
25           the commissioner may appoint one or more of such arbitrators. Either or  
26           both of the parties to any such agreement or any arbitration tribunal created  
27           under any such agreement may apply to the commissioner to have the  
28           tribunal designated as a temporary arbitration tribunal and, if so designated,  
29           the temporary arbitration tribunal shall have power to administer oaths to  
30           witnesses and to issue subpoenas for the attendance of witnesses and the  
31           production of evidence, which subpoenas shall be enforced in the same  
32           manner as subpoenas issued by the commission under section 5. Any such  
33           temporary arbitration tribunal shall file with the commissioner a copy of its  
34           report, duly certified by its chair.

**§11. Roster of arbitrators.**

The commissioner shall maintain a roster of persons suited and qualified by training and experience to act as arbitrators of labor disputes and shall provide parties to a labor dispute with the names of persons on the roster upon written request. The commissioner shall adopt rules governing appointments to, removals from, and administration of this roster.

**§12. Unfair Labor Practices: Employee.**

It shall be an unfair labor practice:

- (1) for any employee or labor organization to institute a strike if such strike is a violation of any valid collective agreement between any employer and its employees or labor organization and the employer is, at the time, in good faith complying with the provisions of the agreement, or to violate the terms and conditions of such bargaining agreement;
- (2) for any employee or labor organization to institute a strike if the calling of such strike is in violation of sections 7 or 17;
- (3) for any person to seize or occupy property unlawfully during the existence of a labor dispute;
- (4) for any person to picket or cause to be picketed a place of employment of which place the person is not an employee while a strike is in progress affecting the place of employment, unless the majority of persons engaged in picketing the place of employment at these times are employees of the place of employment;
- (5) for more than one person to picket or cause to be picketed a single entrance to any place of employment where no strike is in progress at the time;
- (6) for any person to interfere in any manner with the operation of a vehicle or the operator thereof when neither the owner nor operator of the vehicle is at the time a party to a strike;
- (7) for any employee, labor organization, or officer, agent, or member thereof, to compel or attempt to compel any person to join or to refrain from joining any labor organization or any strike against the person's will by any threatened or actual unlawful interference with the person, or immediate family member, or physical property, or to

- 1 assault or unlawfully threaten any such person while in pursuit of  
2 lawful employment;
- 3 (8) unless the strike has been approved by a majority vote of the voting  
4 employees in a collective bargaining unit of the employees of an  
5 employer or association of employers against whom such strike is  
6 primarily directed, for any person or labor organization to cooperate  
7 in engaging in, promoting or inducing a strike. Such vote shall be  
8 taken by secret ballot at an election called by the collective bargaining  
9 agent for the unit, and reasonable notice shall be given to all  
10 employees in the collective bargaining unit of the time and place of  
11 election; or
- 12 (9) for any person or labor organization to hinder or prevent by  
13 intimidation, force, coercion or sabotage, or by threats thereof, or to  
14 combine or conspire to cause or threaten to cause injury to any  
15 processor, producer or marketing organization, w by withholding  
16 labor. The violation of clauses (2), (3), (4), (5), (6), (7), (8) and (9) are  
17 hereby declared to be unlawful acts.

18 **§13. Unfair Labor Practices: Employer.**

19 It is an unfair labor practice for an employer:

- 20 (1) to institute a lockout of its employees in violation of a valid collective  
21 bargaining agreement between the employer and its employees or  
22 labor organization if the employees at the time are in good faith  
23 complying with the provisions of the agreement, or to violate the  
24 terms and conditions of the bargaining agreement;
- 25 (2) to institute a lockout of its employees in violation of section 7 or 17;
- 26 (3) to encourage or discourage membership in a labor organization by  
27 discrimination in regard to hire or tenure of employment or any  
28 terms or conditions of employment; provided, that this clause does  
29 not apply to the provisions of collective bargaining agreements  
30 entered into voluntarily by an employer and its employees or a labor  
31 organization representing the employees as a bargaining agent, as  
32 provided by section 8.
- 33 (4) to discharge or otherwise to discriminate against an employee  
34 because the employee has signed or filed an affidavit, petition, or  
35 complaint or given information or testimony under this chapter;

- 1 (5) to spy directly or through agents or any other persons upon activities  
2 of employees or their representatives in the exercise of their legal  
3 rights;
- 4 (6) to distribute or circulate a blacklist of individuals exercising a legal  
5 right or of members of a labor organization for the purpose of  
6 preventing individuals who are blacklisted from obtaining or  
7 retaining employment;
- 8 (7) to engage or contract for the services of a person who is an employee  
9 of another if the employee is paid a wage that is less than the wage to  
10 be paid by the engaging or contracting employer under an existing  
11 union contract for work of the same grade or classification;
- 12 (8) willfully and knowingly to utilize a professional strikebreaker to  
13 replace an employee or employees involved in a strike or lockout at a  
14 place of business located within the Republic; or The violation of  
15 clause (2), (4), (5), (6), (7), or (8) is an unlawful act.

16 **§14. Labor-management committees.**

17 The commissioner may provide technical support and assistance to  
18 voluntary joint labor-management committees established for the purpose  
19 of improving relationships between unions and employers at area, industry,  
20 or work-site levels.

21 **§15. Receipt of gifts, money; appropriation.**

- 22 (1) The commissioner may apply for, accept, and disburse gifts,  
23 bequests, grants, or payments for services from the Government,  
24 international organizations, other nations, private foundations, or any  
25 other source.
- 26 (2) Money received by the commissioner under this subdivision must be  
27 deposited in a separate account for workforce skills and the amount  
28 deposited, including investment earnings, shall also be appropriated  
29 to the commissioner to carry out duties of the commissioner.
- 30 (3) The commissioner must post and maintain list of the sources of funds  
31 and amounts received under this subdivision.

1 **§16. Political activities forbidden.**

2 Any mediator, under the provisions of this Act who exerts personal  
3 influence, directly or indirectly, to induce any other person to adopt the  
4 mediator's political views, or to favor any particular candidate for office, or  
5 to contribute funds for political purposes shall forthwith be removed from  
6 office or position by the appointing authority; provided, that before removal  
7 the commissioner of mediation services shall be entitled to a hearing before  
8 the commissioner, and any other employee shall be entitled to a similar  
9 hearing before the commissioner of mediation services.

10 **§17. Labor dispute affecting Public Interests; Procedure.**

11 If the dispute is in any industry, business, or institution affected with a  
12 public interest, which includes, but is not restricted to, any industry,  
13 business, or institution engaged in supplying the necessities of life, safety, or  
14 health, so that a temporary suspension of its operation would endanger the  
15 life, safety, health, or well-being of a substantial number of people of any  
16 community, the provisions of section 7 shall apply. The commissioner may  
17 appoint a fact finding commission composed of three members to conduct a  
18 hearing and make a report on the issues involved and the merits of the  
19 respective contentions of the parties to the dispute. If the commissioner  
20 decides to appoint a commission, the commissioner shall immediately notify  
21 the parties to the labor dispute. The members of such commission shall on  
22 account of vocations, employment, or affiliations be representatives of  
23 employees, employers, and the public, respectively. If and when the  
24 commissioner notifies the parties of the decision to appoint a commission,  
25 neither party to the dispute shall make any change in the situation affecting  
26 the dispute and no strike or lockout shall be instituted until 30 days after the  
27 commissioner's notification to the parties. If the commissioner fails to  
28 appoint a commission within five days after notification to the parties, this  
29 limitation on the parties shall be suspended and inoperative. If the  
30 commissioner thereafter appoints a commission, no strike or lockout having  
31 been instituted in the meantime, the limitation shall again become operative,  
32 but in no case for more than the original 30-day period. The 30-day period  
33 may be extended by stipulation of the parties to the labor dispute, which  
34 shall be filed with the commissioner. The commission shall meet within five  
35 days of its appointment by the commissioner and conduct the hearings  
36 which are necessary to render its report on the issues involved and merits of  
37 the contentions of the parties. The report of the commission shall be filed

1 with the commissioner not less than five days prior to the end of the 30-day  
2 period set forth above or any extension thereof. The commissioner shall  
3 provide copies of the report to the parties to the dispute and may make the  
4 report public the issues before the report of the commission is made.

5 **§18. Jurisdictional controversies.**

6 Whenever two or more labor organizations adversely claim for themselves  
7 or their members jurisdiction over certain classifications of work to be done  
8 for any employer or in any industry, or over the persons engaged in or  
9 performing such work and such jurisdictional interference or dispute is  
10 made the ground for picketing an employer or declaring a strike or boycott  
11 against the employer, the commissioner may appoint a labor referee to hear  
12 and determine the jurisdictional controversy. If the labor organizations  
13 involved in the controversy have an agreement between themselves  
14 defining their respective jurisdictions, or if they are affiliated with the same  
15 labor federation or organization which has by the charters granted to the  
16 contending organizations limited their jurisdiction, the labor referee shall  
17 determine the controversy in accordance with the proper construction of the  
18 agreement or of the provisions of the charters of the contending  
19 organizations. If there is no agreement or charter which governs the  
20 controversy, the labor referee shall make such decision as, in consideration  
21 of past history of the organization, harmonious operation of the industry,  
22 and most effective representation for collective bargaining, will best  
23 promote industrial peace. If the labor organizations involved in the  
24 controversy so desire, they may submit the controversy to a tribunal of the  
25 federation or labor organization which has granted their charters or to  
26 arbitration before a tribunal selected by themselves, provided the  
27 controversy is so submitted prior to the appointment of a labor referee to act  
28 in the controversy. After the appointment of the labor referee by the  
29 commissioner, or the submission of the controversy to another tribunal as  
30 herein provided, it shall be unlawful for any person or labor organization to  
31 call or conduct a strike or boycott against the employer or industry or to  
32 picket any place of business of the employer or in the industry on account of  
33 such jurisdictional controversy.

34 **§19. Operation of Vehicle where Dispute is in Progress.**

35 Any person who operates a motor vehicle which is entering or leaving a  
36 place of business or employment where there is a clear notice that a labor

1 dispute is in progress, and who fails to bring the vehicle to a full stop at the  
2 entrance to or exit from that place, or who fails to exercise caution in  
3 entering or leaving that place, is guilty of a misdemeanor.

4 **§20. Interferences which are Unlawful.**

5 (1) Unlawful acts. It shall be unlawful for any person at any time to  
6 interfere with the free and uninterrupted use of public roads or  
7 methods of transportation or conveyance or to wrongfully obstruct  
8 ingress to and egress from any place of business or employment.

9 (2) Unfair labor practice. It is an unfair labor practice for any employee  
10 or labor organization to commit an unlawful act as defined in this  
11 Act.

12 **§21. Injunctions; Temporary Restraining Orders.**

13 When any unfair labor practice is threatened or committed, a suit to enjoin  
14 such practice may be maintained in the High Court. In any suit to enjoin any  
15 of the unfair labor practices set forth in sections 12 and 13, the provisions of  
16 section 2 shall not apply. No court shall have jurisdiction to issue a  
17 temporary or permanent injunction in any case involving or growing out of  
18 the violation of sections 12 and 13 as herein defined, except after hearing the  
19 testimony of witnesses in open court, with opportunity for cross-  
20 examination, in support of the allegations made under oath, and testimony  
21 in opposition thereto, if offered, and except after findings of fact by the court  
22 to the effect that the acts set forth in sections 12 and 13 have been threatened  
23 and will be committed unless restrained, or have been committed and will  
24 be continued unless restrained. No temporary restraining order may be  
25 issued under the provisions of this Act except upon the testimony of  
26 witnesses produced by the applicant in open court and upon a record being  
27 kept of such testimony nor unless the temporary restraining order is  
28 returnable within seven days from the time it is granted which shall be  
29 noted on the order of the court. It shall be the duty of the court to give the  
30 trial or hearing of any suits or proceedings arising under this section  
31 precedence over all other civil suits which are ready for trial. Failure of the  
32 trial court to decide a motion for a temporary injunction within seven days  
33 from the date the hearing thereon is concluded shall dissolve any restraining  
34 order issued therein without further order of the court. Failure of the trial  
35 court to decide any suit brought under this section within 45 days from the

1 date the trial was ended shall dissolve any restraining order or temporary  
2 injunction issued therein without further order of the court.

3 **§22. Violators Not Entitled to Benefits of Certain Sections.**

4 Any employer, employee, or labor organization who has violated any of the  
5 provisions of this Act with respect to any labor dispute shall not be entitled  
6 to any of the benefits of this Act respecting such labor disputes and such  
7 employer, employee, or labor organization shall not be entitled to maintain  
8 in any court an action for injunctive relief with respect to any matters  
9 growing out of that labor dispute, until good faith use is made of all means  
10 available under the laws of the Republic for the peaceable settlement of the  
11 dispute.

12 **§23. Effective Date.**

13 This Act shall take effect upon certification in accordance with Article IV,  
14 Section 21 of the Constitution.



**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
37TH CONSTITUTIONAL REGULAR SESSION, 2016**

**LABOR (COLLECTIVE BARGAINING) RELATIONS ACT  
2016**

**SIGNATURES**

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**DATE:** \_\_\_\_\_ **INTRODUCED BY** \_\_\_\_\_  
*Print Name* *Signature*

1 NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS  
2 37TH CONSTITUTIONAL REGULAR SESSION, 2016

**LABOR (COLLECTIVE BARGAINING) RELATIONS ACT  
2016**

3 **BILL SUMMARY**

4 This Bill proposes to provide a legal framework for employees in the Republic of the  
5 Marshall Islands to engage in collective bargaining and to enter in to collective  
6 bargaining agreements with their employers; to govern the employer-employee  
7 relationship; and for related purposes.

8  
9 Currently, the employees and employers in the Republic of the Marshall Islands do  
10 not have collective bargaining arrangement for any labor disputes that arises in the  
11 course of employment. The bill ensures that employee exercise their collective  
12 bargaining rights to any dispute relating to labor.  
13