

FILE AN ACTION TO ENFORCE THE ORDER WITH THE CIRCUIT COURT FOR THE COUNTY IN WHICH ANY OF THE INVOLVED EMPLOYEES WORK.

11.5-114.

(A) THIS SUBSECTION APPLIES TO THE EXPRESSION OF ANY PERSONAL VIEW, ARGUMENT, OR OPINION OR THE MAKING OF ANY PERSONAL STATEMENT WHICH:

(1) (I) PUBLICIZES THE FACT OF A REPRESENTATIONAL ELECTION AND ENCOURAGES EMPLOYEES TO EXERCISE THEIR RIGHT TO VOTE IN THE ELECTION;

(II) CORRECTS THE RECORD WITH RESPECT TO ANY FALSE OR MISLEADING STATEMENT MADE BY ANY PERSON; OR

(III) INFORMS EMPLOYEES OF THE COMMISSION'S POLICY RELATING TO LABOR-MANAGEMENT RELATIONS AND REPRESENTATION;

(2) CONTAINS NO THREAT OF REPRISAL, FORCE, OR PROMISE OF BENEFIT; AND

(3) IS NOT MADE UNDER COERCIVE CONDITIONS.

(B) THE EXPRESSION OF ANY PERSONAL VIEW, ARGUMENT, OPINION, OR STATEMENT DESCRIBED IN SUBSECTION (A) OF THIS SECTION DOES NOT CONSTITUTE:

(1) AN UNFAIR LABOR PRACTICE UNDER THE PROVISIONS OF THIS TITLE; OR

(2) GROUNDS FOR SETTING ASIDE ANY ELECTION CONDUCTED UNDER THIS TITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any collective bargaining agreement for the service, labor, and trade unit as constituted on January 2, 2003 entered into by the Washington Suburban Sanitary Commission and the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO Council 67 and Local 2898 before the effective date of this Act. Furthermore, except as provided in § 11.5-106 of this Act, nothing in this Act shall be construed to require AFSCME to withstand a certification election to continue representing the employees in the bargaining unit it currently represents.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003, and shall apply to all bargaining cycles that begin after the effective date of this Act.

Approved May 22, 2003.