

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House
Passed Senate
Failed to Pass Senate

House File 127

January 27, 1947.
Labor.

By BRYSON, AINSWORTH, HICKLIN,
KLEMESRUD, REED, DONOHUE,
SMITH of Des Moines, REDMAN,
WEICHMAN.

A BILL FOR

An Act to provide that labor unions, organizations or associations, whether incorporated or not, may sue or be sued, to provide enforcement by suit of the provisions of collective bargaining agreements, and to provide for a cost bond in actions where injunctive relief is sought.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Any labor union, organization or association,
2 whether or not it be incorporated, may sue or be sued in its
3 organization or association name, as an entity and in behalf
4 of the employees whom it represents, and all the funds and
5 assets of such labor union, association or organization
6 shall be subject to judgment, execution and other process;
7 provided that any money judgment against a labor union,
8 association or organization shall be enforced only against
9 such union, association or organization as an entity,
10 and against its assets, property and funds and shall not
11 be enforceable against the property of an individual
12 member or members thereof. Nothing herein shall be deemed
13 to abrogate or restrict the right or liability of the
14 individual members of the association to sue or be sued

15 jointly or severally in their own names or name in matters
16 based upon or arising out of their individual acts or
17 relationships. The service of summons, subpoena or other
18 legal process upon an officer or agent of such labor
19 union, association or organization shall constitute
20 sufficient service upon such union, association or
21 organization.

1 Sec. 2. Any collective bargaining agreement between
2 an employer or employers and a labor union, association
3 or organization, shall be enforceable at law or equity,
4 and a breach of such collective bargaining agreement by
5 any party thereto, shall be subject to the same remedies
6 including injunctive relief, as are available in the
7 case of other contracts in the courts of this State.

1 Sec. 3. In any action involving a labor dispute
2 or involving a collective bargaining agreement between
3 an employer and his employees and injunctive relief is
4 sought, the only bond required shall be one sufficient
5 to pay the necessary court costs in the case.

EXPLANATION OF H. F. 127

This bill makes unions responsible the same as any other entity. It provides that they may sue and be sued as such and that their funds and assets are subject to judgment, execution and other process in the same manner as any other entity. The property of the individual members, however, is not subject to process. The bill also provides that the collective bargaining agreement is enforceable at law or in equity, the same as any other contract.