

## **10-7E-21. Strikes and lockouts prohibited.**

A. A public employee or labor organization shall not engage in a strike. A labor organization shall not cause, instigate, encourage or support a public employee strike. A public employer shall not cause, instigate or engage in a public employee lockout.

B. A public employer may apply to the district court for injunctive relief to end a strike, and an exclusive representative of public employees affected by a lockout may apply to the district court for injunctive relief to end a lockout.

C. The board or local board, upon a clear and convincing showing of proof at a hearing that a labor organization directly caused or instigated a public employee strike, may impose appropriate penalties on that labor organization, up to and including decertification of the labor organization with respect to any of its bargaining units which struck as a result of such causation or instigation.

**History:** [Laws 2003, ch. 4, § 21](#) and by [Laws 2003, ch. 5, § 21](#).

### **ANNOTATIONS**

**Compiler's notes.** — [Laws 2003, ch. 4, § 21](#) and [Laws 2003, ch. 5, § 21](#) enacted identical new sections of law, effective July 1, 2003. Both were compiled as [10-7E-21](#) NMSA 1978.