

NORTH CAROLINA GENERAL ASSEMBLY  
1981 SESSION

CHAPTER 958  
HOUSE BILL 1064

AN ACT TO CODIFY THE COMMON LAW PROHIBITION AGAINST STRIKES BY  
PUBLIC EMPLOYEES.

The General Assembly of North Carolina enacts:

**Section 1.** Article 12 of Chapter 95 of the General Statutes is amended by adding the following new sections:

**"§ 95-98.1. Strikes by public employees prohibited.** — Strikes by public employees are hereby declared illegal and against the public policy of this State. No person holding a position either full- or part-time by appointment or employment with the State of North Carolina or in any county, city, town or other political subdivision of the State of North Carolina, or in any agency of any of them, shall willfully participate in a strike by public employees.

**"§ 95-98.2. Strike defined.** — The word 'strike' as used herein shall mean a cessation or deliberate slowing down of work by a combination of persons as a means of enforcing compliance with a demand upon the employer, but shall not include protected activity under Article 16 of this Chapter: Provided, however, that nothing herein shall limit or impair the right of any public employee to express or communicate a complaint or opinion on any matter related to the conditions of public employment so long as the same is not designed to and does not interfere with the full, faithful, and proper performance of the duties of employment."

**Sec. 2.** Severability. If any provision or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

**Sec. 3.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of July, 1981.