

By Mr. Hickey of Cambridge, petition of the Massachusetts Public Employees Council 41, AFSCME, AFL-CIO, and Timothy W. Hickey relative to collective bargaining for state employees. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATIVE TO COLLECTIVE BARGAINING FOR STATE EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 178F of chapter 149 of the General Laws as most
2 recently amended by chapter 774 of the acts of 1967, is hereby
3 amended by adding after section 10 the following new sec-
4 tion:—

5 *Section 10A.* When an employee organization attains ma-
6 jority representation as the exclusive representative of all
7 state employees, by combining all of its certifications as pro-
8 vided by this chapter, such employee organization shall be
9 recognized by the governor of the commonwealth of Massa-
10 chusetts as the exclusive bargaining agent for all employees
11 of the commonwealth and shall act, negotiate agreements,
12 and bargain collectively for all employees with the executive
13 department of the commonwealth on wages, hours, fringe
14 benefits, and other conditions of employment covered by
15 statute, rule, and/or regulations.

16 For the purposes of collective bargaining, the Governor, or
17 his designated representatives, and the exclusive representa-
18 tive of the employees shall meet at reasonable times, includ-
19 ing times appropriate to the budget making processes, and
20 shall execute a written contract incorporating any agreement
21 so reached, but neither party shall be compelled to agree to
22 a proposal or to making a concession.

23 If, after a reasonable period of negotiations, a dispute exists
24 between the Executive Department and the exclusive em-
25 ployee organization over the terms of an agreement, either

26 party, or the parties jointly, may request fact finding through
27 the American Arbitration Association in accordance with its
28 rules.

29 The cost of fact finding proceedings under this section shall
30 be divided equally between the commonwealth and said em-
31 ployee organization.

32 In the event that a provision of a contract, as provided
33 above, is in conflict with any provision of an existing agree-
34 ment, as established under paragraph (6) of this section, such
35 provision shall prevail.