

HOUSE No. 2371

By Messrs. Barrett of Boston and Melia of Boston, petition of David L. Barrett and John F. Melia that the city of Boston be authorized to transfer the property of the Boston City Hospital to the University of Massachusetts. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Six.

AN ACT AUTHORIZING THE TRANSFER OF THE PROPERTY AND OPERATION OF THE BOSTON HOSPITAL FROM THE CITY OF BOSTON TO THE COMMONWEALTH.

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 1. The city of Boston is hereby authorized to trans-
2 fer and convey the real and personal property used in the opera-
3 tion of the Boston City Hospital in said city, to the common-
4 wealth. The University of Massachusetts is hereby authorized
5 to accept said conveyance on behalf of the commonwealth and
6 thereafter to operate and maintain said hospital facility. Said
7 facility shall be made available for the teaching of medical
8 students enrolled at Harvard University, Boston University,
9 Tufts College and the University of Massachusetts.

1 SECTION 2. Upon the effective date of said transfer to the
2 University of Massachusetts the officers and employees serving
3 therein shall, subject to appropriation, become employees of
4 the University of Massachusetts and shall not be discharged,
5 removed, suspended, laid off or transferred from the latest office
6 or employment held by them without their consent, lowered in
7 rank or compensation, nor shall their office or positions be abol-
8 ished, except for just cause and in the manner provided for in
9 sections forty-three and forty-five of chapter thirty-one, and

10 upon the effective date of such transfer said officers and em-
11 ployees who are members of the county, municipal or the State
12 Boston Retirement System and any amounts credited to their
13 accounts shall be transferred to the annuity savings fund of the
14 State Retirement System. Any such employee so transferred
15 shall retain his civil service, tenure, retirement, seniority, vaca-
16 tion, holiday or sick leave rights, if any, which may have accrued
17 to him at the time of such transfer. If any such employee,
18 except an employee who is unable to perform the duties of
19 his office or position because of service in the military or naval
20 forces of the United States, shall refuse, or neglect, within
21 thirty days after his right to transfer under this act accrues, to
22 transfer to the service of the department of public health he
23 shall thereupon be retired by said city with the same rights and
24 allowances as if he had voluntarily retired at the expiration of
25 such thirty days.

26 Notwithstanding the above provisions, the director of person-
27 nel and standardization shall arrange for the inclusion into the
28 classified service of the commonwealth of all persons affected by
29 this section, after first determining the duties actually performed
30 by such persons at said hospital while in the employ of said city
31 immediately prior to the effective date of this act, in a position
32 of like duties or substantially the same irrespective of whether
33 or not the title is the same as that held by him at the said sana-
34 torium. Such person shall be allocated in the general salary
35 schedule, in force as of the effective date of this act, in the step-
36 in-range of the job group to which such allocated position has
37 been assigned which will give to such transferred person a salary
38 at least equal to the salary he was receiving on date,
39 irrespective of the years of service in the position held by him.
40 If any person affected is already receiving a larger salary than
41 that provided in the job group to which his position has been
42 allocated, then such person shall be allocated in the job group
43 he would have been allocated, but for this reason, at the maxi-
44 mum step-in-grade but his salary shall be the same as it was
45 immediately prior to transfer. The provisions of this section
46 shall not apply to any person employed at said sanatorium
47 whose employment commenced after the effective date of this
48 act.