

[Similar Matter Filed During Past Session —  
See Senate No. 1220 of 1975]

**SENATE . . . . . No. 944**

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By Mr. McCarthy, a petition (accompanied by bill, Senate, No. 944) of Robert E. McCarthy and the Massachusetts League of Cities and Towns, by Richard Leary, president, for legislation to further define employees under the public employees collective bargaining law. Public Service.

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**The Commonwealth of Massachusetts**

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

**AN ACT FURTHER DEFINING EMPLOYEES UNDER THE PUBLIC  
EMPLOYEES COLLECTIVE BARGAINING LAW.**

*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 one of chapter 150E as most recently amended by  
2 chapter 354 of the acts of 1974, is hereby further amended by  
3 striking out the second sentence of the definition of "employee"  
4 or "public employee" and inserting in its place the following  
5 sentence: — Employees shall be designated as managerial em-  
6 ployees if they have authority, in the interest of the employer,  
7 to hire, transfer, suspend, promote, discharge, assign, reward  
8 or discipline other employees, or responsibility to direct them  
9 or to adjust their grievances, or to authoritatively recommend  
10 such action, if the exercise of such authority is not a merely  
11 routine or clerical nature but requires the use of independent  
12 judgment or if they (a) participate in formulating or deter-  
13 mining policy, or (b) are reasonably required, on behalf of a  
14 public employer, to assist directly in the preparation for or  
15 conduct of collective bargaining, or (c) have a substantial  
16 responsibility, involving the exercise of independent judgment  
17 of an appellate responsibility not initially in effect, in the ad-  
18 ministration of a collective bargaining agreement or in per-  
19 sonnel administration.

