

By Mr. Sisitsky, a petition (accompanied by bill, Senate, No. 1248) of the AFSCME, Council 93, by Joseph M. Bonavita, executive director, Sharon M. Pollard and Alan D. Sisitsky for legislation relative to penalties under the collective bargaining law. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-one.

AN ACT RELATIVE TO PENALTIES UNDER THE 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 15 of Chapter 150E as most recently amended by
2 Chapter 1078 of the Acts of 1973 is hereby amended by re-
3 placing paragraphs 3 and 4 with the following new para-
4 graphs: —

5 No compensation shall be paid by an employer to an em-
6 ployee with respect to any day or part thereof when such
7 employee is engaged in a strike against said employer, nor
8 shall such employee be eligible to recover such compensation
9 at a later date in the event that such employee is required
10 to work additional days to fulfill the provisions of collective
11 bargaining agreement: *however, if and after the commission*
12 *should find that a strike was precipitated by an employer's*
13 *act or omission prohibited under 10(a)(7), then the com-*
14 *mission may nonetheless order an employer to pay wages*
15 *withheld, with or without interest, as part of its remedial*
16 *order thereunder.*

17 Any employee who engages in a strike shall be subject to
18 discipline and discharge proceedings by the employer; *how-*
19 *ever, if and after the commission should find that a strike was*
20 *precipitated by an employer's act or omission prohibited under*
21 *10(a)(7), then the commission may prohibit the employer*
22 *from taking any disciplinary action and, if discipline has al-*
23 *ready been imposed, reverse any action already taken, as part*
24 *of its remedial order thereunder.*

