

HOUSE No. 2341

By Mr. Danovitch of Norwood, petition of the Massachusetts Public Employees Council 41, AFSCME, AFL-CIO, relative to collective bargaining for state employees. Public Service.

The Commonwealth of Massachusetts

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

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
3 hereby amended by adding after section 10 the following new
4 section: —

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

16 For the purposes of collective bargaining, the Governor, or
17 his designated representatives, and the exclusive representative
18 of the employees shall meet at reasonable times, including
19 times appropriate to the budget making processes, and shall
20 execute a written contract incorporating any agreement so
21 reached, but neither party shall be compelled to agree to a
22 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 employee
25 organization over the terms of an agreement, either party, or
26 the parties jointly, may request fact finding through the Ameri-
27 can Arbitration Association in accordance with its rules.

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

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