HOUSE . . . . . No. 3381

By Mr. White of Boston, petition of the Boston Carmen's Union, Kevin W. Fitzgerald, W. Paul White and another relative to collective bargaining between employee organizations and the directors of the Massachusetts Bay Transportation Authority. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO COLLECTIVE BARGAINING BETWEEN EMPLOYEE ORGANIZATIONS AND THE DIRECTORS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to restore full collective bargaining rights to M.B.T.A. employees, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public convenience.

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

SECTION 1. Section 19 of chapter 161A, as most recently amended by Section 8 of chapter 581 of the Acts of 1980 is hereby amended by striking out the first sentence and inserting in place thereof: — The directors shall have authority to bargain collectively with labor organizations representing employees of the authority and enter into agreements, with such organizations relative to wages, salaries, hours, working conditions (including, but not limited to, establishment of seniority for the purpose of assignment, benefit accrual, and retaining job rights while on leave), health benefits, pensions and retirement allowances of such employees; provided, however, that the directors shall have no authority to bargain collectively and shall have no authority to enter into collective bargaining agreements with respect to matters of inherent management right which shall including the right: —

(i) to direct, appoint, employ, assign and promote officers, agents and employees and to determine the standards therefor.

17 (ii) (A) to discharge and terminate employees subject to the
18 provisions of such clauses (B) and (C).