

By Mr. Thompson of Cambridge, petition of Alvin E. Thompson and another relative to further regulating unilateral changes in public employee collective bargaining agreements. Public Service.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING UNILATERAL CHANGES IN PUBLIC EMPLOYEE COLLECTIVE BARGAINING AGREEMENTS.

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. Section 9 of Chapter 150E of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 striking paragraph one and inserting in place thereof the
4 following: —

5 After a reasonable period negotiation, either party or the parties
6 acting jointly may petition the board for a determination of the
7 existence of an impasse. Upon receipt of such petition, the board
8 shall commence an investigation forthwith to determine if the par-
9 ties have negotiated for a reasonable period of time and if an
10 impasse exists, within ten days of the receipt of such petition, the
11 board shall notify the parties of the results of its investigation.
12 Failure to notify the parties within ten days shall be taken to mean
13 that impasse exists.

1 SECTION 2. Section 9 of Chapter 150E of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 striking paragraph nine and inserting in place thereof the
4 following: —

5 Upon the filing of a petition pursuant to this section for a deter-
6 mination of an impasse following negotiations, an employer shall
7 not implement unilateral changes until the collective bargaining
8 process, including mediation, fact-finding or arbitration, if applic-
9 able, shall have been completed and the terms and conditions of

10 employment shall continue in effect until the collective bargaining
11 process, including mediation, fact-finding or arbitration, if applic-
12 able, shall have been completed; provided, however, that where
13 the parties are negotiating for a successor agreement, nothing
14 herein shall prohibit the parties from extending the terms and con-
15 ditions of such a collective bargaining agreement by mutual agree-
16 ment for a period of time in excess of the aforementioned time.
17 For purposes of this paragraph, the board shall certify to the par-
18 ties that the collective bargaining process, including mediation,
19 fact-finding or arbitration, if applicable, has been completed.