

By Mr. Tolman, a petition (accompanied by bill, Senate, No. 1966) of Steven A. Tolman, George J. Newman and Daniel J. Lauzon for legislation relative to labor relations governing commuter rail employers working within the boundaries of the Commonwealth. Transportation.

The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.
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AN ACT RELATIVE TO LABOR RELATIONS GOVERNING COMMUTER RAIL EMPLOYERS WORKING WITHIN THE BOUNDARIES OF THE COMMONWEALTH.

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

1 The General Laws are hereby amended by inserting after
2 Chapter 160 the following chapter:—

3 **CHAPTER 160A.**

4 Labor Relations between employees engaged in the operation
5 and maintenance of commuter rail service owned by the Com-
6 monwealth or an agency thereof shall be governed by the Railway
7 Labor Act. Employees engaged in the operation and maintenance
8 of commuter rail service and in repair, maintenance and inspec-
9 tion of roadbed, track, right of way, signal systems and locomo-
10 tives and rolling stock, passengers cars and/ or self-propelled
11 passenger cars shall be afforded the full protection of all federal
12 labor, pension and safety laws pertaining to the railroad
13 employees generally, including, but not limited to the aforesaid
14 Railway Labor Act, the Railroad Retirement Act, the Railroad
15 Unemployment Insurance Act, the Hours of Service Act, the Rail
16 Passenger Service Act, Federal Employees Liability Act and the
17 Federal Transit Act and any subsequent amendments thereto. Any
18 current or future operator of such commuter rail service, whether
19 by contract or otherwise, shall be obligated to accept the transfer

20 of all employees performing such service in accordance with their
21 established seniority, existing labor contracts and future amend-
22 ments to such labor contracts will continue to apply, no matter
23 who is the operator, until they are changed in accordance with
24 Section 6 of the Railway Labor Act. The Commonwealth, agen-
25 cies of the Commonwealth, and officials of the Commonwealth
26 will not contest the applicability of the Railway Labor Act and the
27 other Federal law referred to herein to commuter rail workers and
28 to commuter rail operations, or any part thereof.