

By Mr. Frank of Boston, petition of Barney Frank for legislation to repeal the law relative to compulsory arbitration for the Massachusetts Bay Transportation Authority. Public Service.

The Commonwealth of Massachusetts

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

AN ACT TO REPEAL COMPULSORY ARBITRATION FOR THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY.

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

1 Chapter 161A of the General Laws is hereby amended by
2 striking out Section 19, as most recently amended by Section 18
3 of Chapter 563 of the Acts of 1974, and inserting in place thereof
4 the following section:—

5 *Section 19.* The directors shall have authority to bargain
6 collectively with labor organizations representing employees of
7 the Authority and to enter into agreements with such
8 organizations relative to wages, salaries, hours, working
9 conditions, health benefits, pensions and retirement allowances of
10 such employees. Provided, however that after the expiration of
11 the expressed term of the collective bargaining agreement in effect
12 at the time of the passage of this law, the directors shall not have
13 the authority to enter into any collective bargaining agreement
14 providing for final and binding arbitration with respect to hours
15 of employment, rates of wages, salaries, hours, health benefits,
16 pensions and retirement allowances of its employees except
17 insofar as required by Federal law.

18 The provisions of general or special laws relative to rates of
19 wages, hours of employment and working conditions of public
20 employees and relating to contracts for public works, shall not
21 apply to the Authority nor to the employees thereof, nor to
22 employees of contractors with the Authority, but the Authority

23 and its employees shall be governed with respect to hours of
24 employment, rates of wages, salaries, hours, working conditions,
25 health benefits, pensions and retirement allowances of its
26 employees and with respect to contracts for construction,
27 maintenance and repair by the laws relating to street railway
28 companies.

29 Chapter 161A of the General Laws is hereby amended by
30 striking out Section 19A and inserting in place thereof the
31 following section: —

32 *Section 19A.* Notwithstanding any provisions of law to the
33 contrary, the provisions of section five of chapter one hundred
34 and fifty A shall, so far as apt, apply to the authority and its
35 employees, excepting directors, executives and those confidential
36 employees representing the Authority and dealing with employee
37 organizations. Nothing in this section shall be construed as
38 conferring upon the employees of the Authority the right to
39 strike, nor as detracting from the right of the Authority and the
40 employees to agree to submit all grievances to arbitration
41 pursuant to the applicable grievance procedures in the existing
42 collective bargaining agreement.