

HOUSE No. 1783

By Mr. Flannery of Taunton, petition of the Massachusetts Public Employees Council 41, AFSCME, AFL-CIO, and Charles L. Flannery that the State Treasurer and treasurers of certain cities and towns be permitted to make payroll deductions from the salaries of employees and pay said deductions to collective bargaining agencies as service fees. Public Service.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT THE STATE TREASURER AND TREASURERS OF CERTAIN CITIES AND TOWNS SHALL MAKE PAYROLL DEDUCTIONS FROM THE SALARIES OF EMPLOYEES AND PAY SAID DEDUCTIONS TO COLLECTIVE BARGAINING AGENCIES AS SERVICE FEES.

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 1 of chapter 463 of the acts of 1970 is
2 hereby amended by adding the following new paragraph after
3 the word "administration": — Section 178F of chapter 149 of
4 the General Laws, as appearing in subsection 8 of chapter 774
5 of the acts of 1967, is hereby amended by striking out in line
6 11 the "." and inserting after the word "into" the
7 words: — ; nothing in this chapter shall prevent department or
8 agency heads or their designated representatives or agents from
9 requiring, as a condition of employment, during the life of a
10 collective bargaining agreement so providing, the payment on
11 or after the thirtieth day following the beginning of such
12 employment or the effective date of such agreement, whichever
13 is later, of an agency service fee to the employee organization
14 whichever, in accordance with the provisions of this chapter, is
15 duly recognized by the employer or designated by the state
16 labor relations commission as the exclusive bargaining agent for
17 the unit in which such employee is employed; provided, how-
18 ever, that such agency service fee shall not be imposed unless

19 the collective bargaining agreement requiring its payment as a
20 condition of employment has been formally executed, pursuant
21 to a vote of a majority of all employees in such bargaining unit
22 present and voting. Such agency service fee shall be propor-
23 tionately commensurate with the cost of collective bargaining
24 and contract administration.

1 SECTION 2. Chapter 180 of the General Laws, is hereby
2 amended by striking out section 17G and inserting the follow-
3 ing new section 17G: —

4 *Section 17G.* Deductions on payroll schedules may be made
5 from the salary of any state, county or municipal employee of
6 any amount which such employee may specify in writing to
7 any state, county or municipal officer, or the head of the state,
8 county or municipal department, board or commission, by
9 whom or which he is employed, for the payment of agency
10 service fees to the employee organization which, in accordance
11 with the provisions of sections one hundred and seventy-eight
12 D to one hundred and seventy-eight N, inclusive of chapter one
13 hundred and forty-nine, is duly recognized by the employer or
14 designated by the state labor relations commission as the ex-
15 clusive bargaining agent for the appropriate unit in which such
16 employee is employed. Such agency service fees shall be
17 proportionately commensurate with the cost of collective bar-
18 gaining and contract administration. Any such authorization
19 may be withdrawn by the employee by giving at least sixty
20 days' notice in writing of such withdrawal to the state, county
21 or municipal officer, or the head of the state, county or
22 municipal department, board or commission, by whom or
23 which he is then employed, and by filing a copy thereof with
24 the treasurer of the employee organization.

25 The state treasurer, the common paymaster as defined in
26 section 133 of chapter 175, General Laws, or the treasurer of
27 the county or municipality by which such employee is
28 employed shall deduct from the salary of such employee such
29 amount of agency service fees as may be certified to him on
30 the payroll and transmit the sum so deducted to the treasurer
31 of such employee organization; provided that state treasurer or

32 county or municipal treasurer, as the case may be, is satisfied
33 by such evidence as he may require that the treasurer of such
34 employee organization has given to said organization a bond, in
35 a form approved by the commissioner of corporations and
36 taxation for the faithful performance of his duties, in such sum
37 and with such surety or sureties as are satisfactory to the state
38 treasurer, or the county or municipal treasurer.

39 This section shall be effective in any county, city, town or
40 district which accepts it in the following manner: -- In a
41 county by vote of the county commissioners; in a city having a
42 Plan D or Plan E charter by majority vote of its city council;
43 in any other city by vote of its city council according to its
44 charter; and in a town by vote of the board of selectmen; and
45 in a district by vote of the board or committee.

46 The provisions of this section shall not be applicable to the
47 city of Boston.

