

**HOUSE . . . . . No. 4047**

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**The Commonwealth of Massachusetts**



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
COMMONWEALTH OF MASSACHUSETTS  
, MA

KARYN POLITO  
LIEUTENANT GOVERNOR

*November 27, 2017*

To the Honorable House of Representatives,

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as appearing in Article LXXXIX of said Amendments, I am filing for your consideration the attached legislation entitled, "An Act to Clarify and Restate the Applicability of the Civil Service Laws to Employee Positions in the City of Framingham."

The Framingham Board of Selectmen requested that I file this special legislation on behalf of the Town of Framingham.

This legislation ensures that the Framingham Home Rule Charter adopted by voters on April 4, 2017 will not affect existing collective bargaining agreements or the applicability of the civil service laws to designated employee positions once Framingham shifts from a town to a city government.

I urge your immediate and favorable consideration of this bill.

Respectfully submitted

Charles D. Baker,  
*Governor*

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Message from [BACKING TEXT].

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## The Commonwealth of Massachusetts

—————  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
—————

An Act to clarify and restate the applicability of the civil service laws to employee positions in the city of Framingham.

*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. Notwithstanding section 48, 51 and 52 of chapter 31 of the General Laws,  
2 or any other general or special law to the contrary, the Framingham home rule charter, as  
3 approved by the voters on April 4, 2017, shall not change the applicability of the civil service  
4 laws, chapter thirty-one of the General Laws, to all designated employee positions in the city of  
5 Framingham as said laws applied prior to said charter up through and including April 4, 2017.

6           SECTION 2. Notwithstanding sections 48, 51 and 52 of chapter 31 of the General Laws,  
7 or any other general or special law to the contrary, the Framingham home rule charter, as  
8 approved by the voters on April 4, 2017, shall not amend, supersede or nullify any agreement  
9 between the city of Framingham and any employee organization as defined in chapter one  
10 hundred fifty E of the general laws, including but not limited to the collective bargaining  
11 agreement between the city of Framingham and the Framingham police officers union, regarding  
12 the existing or future applicability of the civil service laws, chapter thirty-one of the General  
13 Laws, to employee positions in the city of Framingham.

14           SECTION 3. Notwithstanding sections 48, 51 and 52 of chapter 31 of the General Laws,  
15 or any other general or special law to the contrary, the appointment, promotion, discipline,  
16 discharge, layoff, and any other aspect of employment for the following positions in the city of  
17 Framingham shall continue to be subject to the civil service laws, chapter thirty-one of the  
18 General Laws: (1) sworn police officers up to and including the rank of lieutenant, excluding the  
19 chief of police, deputy chiefs of police, and employees of the police department whose positions  
20 have been civilianized under any agreement between the city of Framingham and any employee  
21 organization as defined in chapter one hundred fifty E of the General Laws; and (2) uniformed  
22 firefighters up to and including the rank of deputy chief, excluding the fire chief, the assistant  
23 fire chief, and employees of the fire department whose positions have been civilianized under  
24 any agreement between the city of Framingham and any employee organization as defined in  
25 chapter one hundred fifty E of the General Laws.

26           SECTION 4. This act shall take effect upon its passage.