

# HOUSE . . . . . No. 2591

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act to further regulate the right to strike of public employees..

*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 9A of chapter 150E of the General Laws, as appearing in the 2004  
2   Official Edition, is hereby amended by striking out said section 9A and inserting in place thereof  
3   the following:

4           No public employee or employee organization shall engage in a strike, work stoppage,  
5   slowdown or withholding of services by such public employees, or to condone or encourage the  
6   same, except as otherwise provided in section (b) below.

7           Whenever a strike occurs or is about to occur, the employer of the employee organization  
8   as the case may be, may petition the commission to make an investigation. The commission  
9   shall investigate and shall first determine whether such strike, slow-down or withholding of  
10   services so complained of, has been caused in whole or in part by unfair labor practices  
11   committed by the employer, as such are set forth in section 10.

12          Whenever the commission shall determine, after investigation, that such strike, slowdown  
13   or withholding of services by such public employees has been proximately caused by the

14 commission of unfair labor practices by the employer, the commission shall set forth its findings  
15 of fact and decision relative thereto, and such employees shall be deemed to engage in lawful,  
16 concerted activity for the purpose of collective bargaining or other mutual aid or protection, free  
17 from interference, restraint or coercion.