

SENATE No. 1985

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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 SECTION 1. The General Laws are hereby amended by inserting after Chapter 160 the
2 following chapter- Chapter 160A.

3 Labor Relations between employees engaged in the operation and maintenance of
4 commuter rail service owned by the Commonwealth or an agency thereof shall be governed by
5 the Railway Labor Act. Employees engaged in the operation and maintenance of commuter rail
6 service and in repair, maintenance and inspection of roadbed, track, right of way, signal systems
7 and locomotives and rolling stock, passengers cars and/ or self-propelled passenger cars shall be
8 afforded the full protection of all federal labor, pension and safety laws pertaining to the railroad
9 employees generally, including, but not limited to the aforesaid Railway Labor Act, the Railroad

10 Retirement Act, the Railroad Unemployment Insurance Act, the Hours of Service Act,
11 the Rail Passenger Service Act, Federal Employees Liability Act and the Federal Transit Act and
12 any subsequent amendments thereto. Any current or future operator of such commuter rail
13 service, whether by contract or otherwise, shall be obligated to accept the transfer of all

14 employees performing such service in accordance with their established seniority, Existing labor
15 contracts and future amendments to such labor contracts will continue to apply, no matter who is
16 the operator, until they are changed in accordance with Section 6 of the Railway Labor Act. The
17 Commonwealth, agencies of the Commonwealth, and officials of the Commonwealth will not
18 contest the applicability of the Railway Labor Act and the other Federal law referred to herein to
19 commuter rail workers and to commuter rail operations, or any part thereof.