

SENATE No. 674

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to establishing appropriate bargaining units..

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 3 of chapter 150E of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking out, in line 6, the words “No unit shall include
3 both professional and nonprofessional employees unless a majority of such professional
4 employees votes for inclusion in such unit; provided, however, that in any fire department, or
5 any department in whole or in part engaging in, or having the responsibility of, fire fighting, no
6 uniformed member of the department subordinate to a fire commission, fire commissioner,
7 public safety director, board of engineers or chief of department shall be classified as a
8 professional, confidential, executive, administrative or other managerial employee for the
9 purpose of this chapter.” and inserting in place thereof, the following words:-

10 No unit shall include both professional and nonprofessional employees unless a majority
11 of such professional employees votes for inclusion in such unit; provided, however, that in any
12 fire department, or any department in whole or in part engaging in, or having the responsibility
13 of, fire fighting, no uniformed member of the department subordinate to a fire commission, fire
14 commissioner, public safety director, board of engineers or chief of department shall be

15 classified as a professional, confidential, executive, administrative or other managerial employee
16 for the purpose of this chapter; and provided further that in such fire department, no unit
17 including full-time members shall include part-time or call uniformed members unless a majority
18 of the full-time members of such department consent to such inclusion.