

HOUSE No. 2981

The Commonwealth of Massachusetts

PRESENTED BY:

Martin J. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to funding collective bargaining agreements for state employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>	
<i>David B. Sullivan</i>	<i>6th Bristol</i>	<i>1/28/2011</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>	<i>2/3/2011</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/4/2011</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/4/2011</i>

HOUSE No. 2981

By Mr. Walsh of Boston, a petition (accompanied by bill, House, No. 2981) of Martin J. Walsh and others relative to funding collective bargaining agreements for state employees. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to funding collective bargaining agreements for state 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 7 of Chapter 150E, as appearing in the 2008 Official Edition, is
2 hereby amended by striking subsections (b) and (c) and inserting in place thereof the following
3 subsections:-

4
5 (b) The employer, other than the board of higher education or the board of trustees of the
6 University of Massachusetts, a county sheriff, the PCA quality home care workforce council, the
7 alcoholic beverage control commission, the state lottery commission, or the commonwealth
8 acting through the commissioner of administration, shall submit to the appropriate legislative
9 body within thirty days after the date on which the agreement is executed by the parties, a
10 request for an appropriation necessary to fund the cost items contained therein.. If the appropriate
11 legislative body duly rejects the request for an appropriation necessary to fund the cost items,
12 such cost items shall be returned to the parties for further bargaining. The provisions of the

13 preceding two sentences shall not apply to agreements reached by school committees in cities
14 and towns in which the provisions of section thirty-four of chapter seventy-one are operative.

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16 (c) The provisions of this paragraph shall apply to the board of higher education, the
17 board of trustees of the University of Massachusetts, a county sheriff, the PCA quality home care
18 workforce council, the alcoholic beverage control commission, Massachusetts Department of
19 Transportation the state lottery commission, and the commonwealth acting through the
20 commissioner of administration. Within ten days after the date on which agreement is reached,
21 every such employer shall submit to the clerks of the House of Representatives and the Senate a
22 request for funds necessary to fully implement the incremental costs in such agreement in the
23 then current fiscal year, provided, however, that if such agreement first has effect in a subsequent
24 fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. Every
25 such employer shall append to such request an estimate of the monies necessary to fund such
26 incremental cost items contained therein as are required to be funded in each fiscal year, during
27 the term of the agreement, subsequent to the fiscal year for which such request is made and shall
28 submit to the general court within the aforesaid thirty days, a copy of such request and such
29 appended estimate; provided, further, that every such employer shall append to such request
30 copies of each said collective bargaining agreement, together with documentation and analyses
31 of all changes to be made in the schedules of permanent and temporary positions required by said
32 agreement. The General Court may approve any such request for funds by a majority vote of
33 each house or may reject such request for funds by a majority vote of either house. If rejected,
34 the matter shall be returned to the parties for further bargaining. If the General Court is in
35 session, it shall vote to approve or reject such agreement within thirty days after the date of

36 filing. If the General Court is not in session when such request for funds is filed, it shall be
37 submitted to the General Court within ten days of the first day of the next session. The request
38 for funds shall be deemed approved if the General Court fails to vote to approve or reject such
39 request for funds within thirty days after such filing or submission. The thirty-day period shall
40 not begin or expire unless the General Court is in session. For the purpose of this subsection,
41 any request for funds filed with the clerks within thirty days before the commencement of a
42 session of the General Court shall be deemed to be filed on the first day of such session.