

**HOUSE . . . . . No. 3789**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Twelve**  
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An Act relative to the terms of collective bargaining agreements..

*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. Subsection (a) of section 7 of chapter 150E of the General Laws, as  
2 appearing in the 2010 Official Edition, is hereby amended by inserting after the word “years”, in  
3 line 3, the following words:- ; provided, however, that the employer and the exclusive  
4 representative through negotiation may agree to include a provision in a collective bargaining  
5 agreement stating that the agreement’s terms shall remain in full force and effect beyond the 3  
6 years until a successor agreement is voluntarily negotiated by the parties.

7           SECTION 2. Section 1 shall apply to any collective bargaining agreement that: (i)  
8 contained a provision stating that the terms of the agreement remain in full force and effect  
9 beyond 3 years while the parties negotiate a successor agreement and (ii) expired before the  
10 effective date of this act; provided, however, its application to specific matters may be prohibited  
11 under section 3.

12           SECTION 3. Section 2 shall not apply to specific matters that were pending or  
13 adjudicated in a court of competent jurisdiction between October 22, 2010, and November 1,  
14 2011; provided, however, that an agreement that has been the subject of such specific matters

15 shall be in full force and effect for other specific matters if the agreement: (i) contained a  
16 provision stating that the terms of the agreement remain in full force and effect beyond 3 years  
17 while the parties negotiate a successor agreement and (ii) expired before the effective date of this  
18 act.