HOUSE DOCKET, NO. 2935 FILED ON: 1/18/2013

# HOUSE . . . . . No. 3023

## The Commonwealth of Massachusetts

PRESENTED BY:

***Garrett J. Bradley***

*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 labor relations governing commuter rail employers working within the boundaries of the Commonwealth..

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Garrett J. Bradley* | *3rd Plymouth* |
| *Thomas J. Calter* | *12th Plymouth* |

HOUSE DOCKET, NO. 2935 FILED ON: 1/18/2013

# HOUSE . . . . . No. 3023

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 3023) of Garrett J. Bradley and Thomas J. Calter relative to labor relations governing commuter rail employers working within the boundaries of the Commonwealth. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1806* OF 2011-2012.]

## The Commonwealth of Massachusetts

**In the Year Two Thousand Thirteen**

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:*

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

Chapter 160A. Labor Relations between employees engaged in the operation and maintenance of commuter rail service owned by the Commonwealth or an agency thereof shall be governed by the Railway Labor Act. Employees engaged in the operation and maintenance of commuter rail service and in repair, maintenance and inspection of roadbed, track, right of way, signal systems and locomotives and rolling stock, passengers cars and/ or self-propelled passenger cars shall be afforded the full protection of all federal labor, pension and safety laws pertaining to the railroad employees generally, including, but not limited to the aforesaid Railway Labor Act, the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Hours of Service Act, the Rail Passenger Service Act, Federal Employees Liability Act and the Federal Transit Act and any subsequent amendments thereto. Any current or future operator of such commuter rail service, whether by contract or otherwise, shall be obligated to accept the transfer of all employees performing such service in accordance with their established seniority. Existing labor contracts and future amendments to such labor contracts will continue to apply, no matter who is the operator, until they are changed in accordance with

17 Section 6 of the Railway Labor Act. The Commonwealth, agencies of the Commonwealth, and
18 officials of the Commonwealth will not contest the applicability of the Railway Labor Act and
19 the other Federal law referred to herein to commuter rail workers and to commuter rail
20 operations, or any part thereof.