

HOUSE No. 2276

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

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 the appointment and reappointment of public safety officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>

HOUSE No. 2276

By Ms. DiZoglio of Methuen, a petition (accompanied by bill, House, No. 2276) of Diana DiZoglio and others relative to the appointment and reappointment of public safety officers. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2294 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the appointment and reappointment of public safety officers.

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 133. Pursuant to this chapter, and notwithstanding the provisions of any general
2 or special law to the contrary, the appointment and reappointment of full-time police officers
3 "and/or firefighter(s)" not subject to the provisions of chapter thirty-one shall be subject to the
4 following provisions:

5 (a) The initial appointment shall be for a period of one year during which a person shall
6 actually perform the duties of such position on a full-time basis. The initial appointment shall be
7 a probationary period during which police officers "and/or firefighter(s)" shall be deemed
8 employees at will whose removal or dismissal shall be without recourse at any time during such
9 initial appointment.

10 (b) Appointment subsequent to the initial appointment shall be made annually or for a
11 term of years not exceeding three years, as the appointing authority shall determine, and such
12 appointing authority may remove any such officer for "just" cause, and after a hearing, at any
13 time during such appointment. For police officers "and/or firefighter(s)" covered by collective
14 bargaining agreements which contain standards for the discharge, termination or removal of
15 employees, the nonreappointment of a police officer "and/or firefighter(s)" serving under an
16 appointment subsequent to an initial appointment shall be considered to be a discharge,
17 termination or removal and the standards shall be enforceable with respect to such
18 nonreappointment by the procedures set forth in the collective bargaining agreement.