HOUSE DOCKET, NO. 793 FILED ON: 1/17/2017

HOUSE . . . . . No. 1003

The Commonwealth of Massachusetts

PRESENTED BY:

Tackey Chan

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 membership in an employee organization.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Tackey Chan	*2nd Norfolk*	*1/17/2017*
Raymond McGrath	*National Association of Government Employees, 159 Burgin Parkway Quincy, MA 02169*	*1/17/2017*

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HOUSE . . . . . No. 1003

By Mr. Chan of Quincy, a petition (accompanied by bill, House, No. 1003) of Tackey Chan and Raymond McGrath relative to membership in an employee organization. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to membership in an employee organization.

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: Chapter 150 of the General laws is hereby amended by striking section 5 and inserting in its place the following new section:

Section 5. The exclusive representative shall have the right to act for and negotiate agreements covering all employees in the unit. Nothing in the provision shall require the exclusive representative to provide representation at any level of the grievance process including arbitration in any case on behalf of an employee who has elected not to maintain membership in the employee organization for a period of at least 90 days prior to the events giving rise to the grievance.

An employee who has elected not to maintain membership in the employee organization may, at his or her own expense, present a grievance to the employer and have such grievance heard without intervention by the exclusive representative, provided that the exclusive representative is afforded the opportunity to be present at such conferences and that any

adjustment made shall not be inconsistent with the terms of an agreement then in effect between the employer and the exclusive representative. The exclusive representative shall have no obligation to incur expenses related to a grievance initiated by an employee who has elected not to maintain membership in the employee organization for a period of at least 90 days prior to the events giving rise to the grievance.

Section 2: Section 2 of Chapter 150E is amended in section 2 by striking the following: "except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve."

Section 3: Section 12 of Chapter 150 E of the General Laws is hereby repealed.