

HOUSE No. 3293

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

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 alternative dispute resolution for state police officers.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------------|-----------------------|------------------|
| <i>Daniel J. Hunt</i> | <i>13th Suffolk</i> | <i>1/20/2017</i> |
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i> | |

HOUSE No. 3293

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 3293) of Daniel J. Hunt and Timothy R. Whelan relative to alternative dispute resolution for state police officers. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2340 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to alternative dispute resolution for state police 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 1. Chapter 22C of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by striking out section 13 and inserting in the place thereof, the
3 following new section:-

4 “Section 13. Any uniformed member of the state police who has served for 1 year or
5 more and against whom charges have been preferred shall be tried by a board to be appointed by
6 the colonel or, at the request of the officer, may be tried by a board consisting of the colonel.
7 Any person aggrieved by the finding of such a trial board may within sixty days after being
8 notified thereof, bring a petition before the civil service commission addressed to the chairman
9 of the commission, or to the American Arbitration Association, asking that the action of the
10 department trial board be reviewed by the commission, or an arbitrator selected in accordance

11 with the Association's established procedures, and after such notice to the colonel as the
12 commission or arbitrator deems necessary, the commission or arbitrator shall review such
13 finding de novo and determine whether upon all the evidence such finding and punishment was
14 justified. If the commission or arbitrator finds that such finding and punishment was justified,
15 the action of the department trial board shall be affirmed; otherwise it shall be reversed and the
16 petitioner shall be reinstated to his office without loss of compensation or other benefits. The
17 decision of the commission or arbitrator shall be final and conclusive upon the parties, and a
18 copy of the decision shall be forwarded forthwith by the commission or association to the
19 colonel. A uniformed officer of the state police who has been dismissed from the force after trial
20 before such a trial board, or who resigns while charges to be tried by a trial board are pending
21 against him, shall not be reinstated by the colonel."