SENATE DOCKET, NO. 463 FILED ON: 1/17/2017

SENATE . . . . . No. 1025

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. McGee

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 public higher education collective labor contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Thomas M. McGee	*Third Essex*	
Jason M. Lewis	*Fifth Middlesex*	*1/30/2017*
James B. Eldridge	*Middlesex and Worcester*	*2/1/2017*
James J. O'Day	*14th Worcester*	*2/1/2017*
Brendan P. Crighton	*Third Essex*	*2/1/2017*
Kathleen O'Connor Ives	*First Essex*	*2/2/2017*
Diana DiZoglio	*14th Essex*	*2/2/2017*
Michael J. Rodrigues	*First Bristol and Plymouth*	*2/2/2017*
Thomas J. Calter	*12th Plymouth*	*2/3/2017*
Eileen M. Donoghue	*First Middlesex*	*2/3/2017*
Michael O. Moore	*Second Worcester*	*2/3/2017*
James Arciero	*2nd Middlesex*	*2/3/2017*
Julian Cyr	*Cape and Islands*	*2/3/2017*
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*2/3/2017*
Adam G. Hinds	*Berkshire, Hampshire, Franklin and Hampden*	*2/3/2017*
William L. Crocker, Jr.	*2nd Barnstable*	*2/3/2017*

Barbara A. L'Italien	*Second Essex and Middlesex*	*2/10/2017*
Frank A. Moran	*17th Essex*	*10/19/2017*

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SENATE . . . . . No. 1025

By Mr. McGee, a petition (accompanied by bill, Senate, No. 1025) of Thomas M. McGee, Jason M. Lewis, James B. Eldridge, James J. O'Day and other members of the General Court for legislation relative to public higher education collective labor contracts. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act relative to public higher education collective labor contracts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 7 of Chapter 150E of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out paragraph (c) and inserting in place thereof the following two paragraphs:

(c) The provisions of this paragraph shall apply to the chief justice for administration and management, a county sheriff, the PCA quality home care workforce council, the department of early education and care with regard to bargaining with family child care providers, the alcoholic beverage control commission, Massachusetts Department of Transportation and the state lottery commission.

Every such employer shall submit to the governor, within thirty days after the date on which a collective bargaining agreement is executed by the parties, a request for an appropriation necessary to fund such incremental cost items contained therein as are required to be funded in

the then current fiscal year, provided, however, that if such agreement first has effect in a subsequent fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. Every such employer shall append to such request an estimate of the monies necessary to fund such incremental cost items contained therein as are required to be funded in each fiscal year, during the term of the agreement, subsequent to the fiscal year for which such request is made and shall submit to the general court within the aforesaid thirty days, a copy of such request and such appended estimate; provided, further, that every such employer shall append to such request copies of each said collective bargaining agreement, together with documentation and analyses of all changes to be made in the schedules of permanent and temporary positions required by said agreement. Whenever the governor shall have failed, within forty-five days from the date on which such request shall have been received by him, or ninety days prior to the start of each fiscal year in which incremental cost items must be paid, to recommend to the general court that the general court appropriate the monies so requested, the request or the incremental cost items shall be referred back to the parties for further bargaining.

(c 1/2) The provisions of this paragraph shall apply to the board of higher education and the board of trustees of the University of Massachusetts.

Acting on behalf of the state universities and community colleges, the commission of higher education shall submit to the governor, within thirty days after the date on which a collective bargaining agreement is executed by the parties, a request for an appropriation necessary to fund such incremental cost items contained therein as are required to be funded in the then current fiscal year; provided, however, that if such agreement first has effect in a subsequent fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. The employer shall append to such request an estimate of the monies necessary to

fund such incremental cost items contained therein as are required to be funded in all fiscal years covered by the collective bargaining agreement; during the term of the agreement, subsequent to the fiscal year for which such request is made, the governor shall annually submit to the general court a request for an appropriation necessary to fund such incremental cost items contained in the collective bargaining agreement for the subsequent fiscal year; said appropriation request shall supplement, not supplant the prior fiscal year appropriation; provided further that said funding request is to be submitted pursuant to Article LXIII of the constitution.

Acting on behalf the University of Massachusetts board of trustees, the president or acting president of the University of Massachusetts shall submit to the governor, within thirty days after the date on which a collective bargaining agreement is executed by the parties, a request for an appropriation necessary to fund such incremental cost items contained therein as are required to be funded in the then current fiscal year, provided, however, that if such agreement first has effect in a subsequent fiscal year, such request shall be submitted pursuant to the provisions of this paragraph. Every such employer shall append to such request an estimate of the monies necessary to fund such incremental cost items contained therein as are required to be funded in all fiscal years covered by the collective bargaining agreement; during the term of the agreement, subsequent to the fiscal year for which such request is made, the governor shall annually submit to the general court a request for an appropriation necessary to fund such incremental cost items contained in the collective bargaining agreement for the subsequent fiscal year; said appropriation request shall supplement, not supplant the prior fiscal year appropriation; provided further that said funding request is to be submitted pursuant to Article LXIII of the constitution. Every such employer shall append to such request copies of each said collective bargaining agreement, together with documentation and analyses of all changes to be

made in the schedules of permanent and temporary positions required by said agreement. Whenever the governor shall have failed, within forty-five days from the date on which such request shall have been received by him, or ninety days prior to the start of each fiscal year in which incremental cost items must be paid, to recommend to the general court that the general court appropriate the monies so requested, the request or the incremental cost items shall be referred back to the parties for further bargaining.