

SENATE No. 1733

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 to ensure fair public higher education workplaces.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/24/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/25/2021</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>2/26/2021</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/26/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/25/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/29/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>4/1/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>4/2/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>4/16/2021</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>5/11/2021</i>

SENATE No. 1733

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 1733) of Patricia D. Jehlen, Jack Patrick Lewis, Carmine Lawrence Gentile, Erika Uyterhoeven and other members of the General Court for legislation to ensure fair public higher education workplaces. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to ensure fair public higher education workplaces.

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. Subsection (b) of section 7 of chapter 150E of the General Laws, as
2 appearing in the 2016 Official Edition, is hereby amended by striking the subsection in its
3 entirety and inserting in place thereof the following new subsection:-

4 (b) The employer, other than the chief justice for administration and management, a
5 county sheriff, the PCA quality home care workforce council, the alcoholic beverage control
6 commission, or the state lottery commission, shall submit to the appropriate legislative body
7 within thirty days after the date on which the agreement is executed by the parties, a request for
8 an appropriation necessary to fund the cost items contained therein; provided, that if the general
9 court is not in session at that time, such request shall be submitted at the next session thereof. If
10 the appropriate legislative body duly rejects the request for an appropriation necessary to fund
11 the cost items, such cost items shall be returned to the parties for further bargaining. The
12 provisions of the preceding two sentences shall not apply to agreements reached by school

13 committees in cities and towns in which the provisions of section thirty-four of chapter seventy-
14 one are operative. For the board of higher education and the board of trustees of the University of
15 Massachusetts, the provision of section seven I of chapter twenty-nine, or any other general or
16 special law, rule or regulation, shall not preclude the employer from submitting an appropriation
17 request directly to the general court pursuant to this section.

18 SECTION 2. Subsection (c) of section 7 of said chapter 150E, as so appearing, is hereby
19 amended by deleting the first sentence and inserting in place thereof the following sentence:-

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

25 SECTION 3. Section 5 of Chapter 32A, as appearing in the 2016 Official Edition, is
26 amended by inserting the following in line 8 after the word “occurs;” the following:-

27 provided, that any employee may elect to have commission health coverage to begin on
28 the first day of employment;

29 SECTION 4. Chapter 15A of the General Laws is hereby amended by inserting after
30 section 19E the following new section:-

31 19F. Notwithstanding any general or special law, rule or regulation to the contrary, full-
32 time and part-time faculty and staff at a public institution of higher education, as set forth in
33 section 5 of this chapter, their spouses and their dependent children shall be eligible for a tuition

34 and mandatory fee credit for undergraduate, graduate and certificate programs or courses at
35 public institutions of higher education; provided, that the commonwealth, not the public higher
36 education institutions, shall bear the cost. The value of the tuition and mandatory fee credit shall
37 be adjusted annually to ensure the value of said credit is worth no less than 100 percent of the
38 total tuition and mandatory fee charges for the covered courses or programs. The board of higher
39 education shall establish guidelines governing the implementation of this tuition and mandatory
40 fee credit program.

41 For the purposes of this section, full-time and part-time faculty and staff shall include
42 employees of a division of continuing education and faculty members who teach the equivalent
43 of at least two three-or-more-credit courses per semester, or four three-or-more-credit courses
44 per calendar year at one or more of the public institutions of higher education.

45 The provisions of this section shall not be construed as to diminish any rights or
46 privileges created by collective bargaining agreements under chapter 150E of the General Laws.