

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:

Tackey Chan

2nd Norfolk

Raymond McGrath

*National Association of Government
Employees, 159 Burgin Parkway Quincy,
MA 02169*

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:

1 Section 1: Chapter 150 of the General laws is hereby amended by striking section 5 and
2 inserting in its place the following new section:

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

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

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

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

21 Section 3: Section 12 of Chapter 150 E of the General Laws is hereby repealed.