

HOUSE No. 1442

The Commonwealth of Massachusetts

PRESENTED BY:

Byron Rushing

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 further regulate the right to strike of public employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>

HOUSE No. 1442

By Mr. Rushing of Boston, a petition (accompanied by bill, House, No. 1442) of Byron Rushing and others for legislation to further regulate the right to strike of public employees. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2395 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act to further regulate the right to strike of public employees.

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 150E of the General Laws is hereby amended by striking out 9A,
2 as appearing in the 2014 Official Edition, and inserting in place thereof the following:-

3 Section 9A. (a) No public employee or employee organization shall engage in a strike,
4 work stoppage, slowdown or withholding of services by such public employees, or to condone or
5 encourage the same, except as otherwise provided in section (b) below.

6 (b) Whenever a strike occurs or is about to occur, the employer may petition the
7 department to make an investigation. The department shall first determine whether such strike,
8 slow-down or withholding of services so complained of, has been caused in whole or in part by
9 unfair labor practices committed by the employer, as such are set forth in section 10. If upon

10 investigation the department concludes that such strike, slowdown or withholding of services by
11 such public employees has been caused by the commission of unfair labor practices by the
12 employer, the department shall set forth its findings of fact and decision relative thereto, and
13 such employees shall be deemed to engage in lawful, concerted activity for the purpose of
14 collective bargaining or other mutual aid or protection, free from interference, restraint or
15 coercion.