

HOUSE No. 02482

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 passage 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>Gloria L. Fox</i>	<i>7th Suffolk</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

HOUSE No. 02482

By Mr. Rushing of Boston, a petition (accompanied by bill, House, No. 2482) of Walz and others for legislation to further regulate the right to strike of public employees Joint Committee on Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2591 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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. Section 9A of chapter 150E of the General Laws, as appearing in the 2004 Official
- 2 Edition, is hereby amended by striking out said section 9A and inserting in place thereof the
- 3 following:
- 4 (a) No public employee or employee organization shall engage in a strike, work stoppage,
- 5 slowdown or withholding of services by such public employees, or to condone or encourage the
- 6 same, except as otherwise provided in section (b) below.
- 7 (b) Whenever a strike occurs or is about to occur, the employer of the employee organization as
- 8 the case may be, may petition the commission to make an investigation. The commission shall

9 investigate and shall first determine whether such strike, slow-down or withholding of services
10 so complained of, has been caused in whole or in part by unfair labor practices committed by the
11 employer, as such are set forth in section 10. Whenever the commission shall determine, after
12 investigation, that such strike, slowdown or withholding of services by such public employees
13 has been proximately caused by the commission of unfair labor practices by the employer, the
14 commission shall set forth its findings of fact and decision relative thereto, and such employees
15 shall be deemed to engage in lawful, concerted activity for the purpose of collective bargaining
16 or other mutual aid or protection, free from interference, restraint or coercion.