

# HOUSE . . . . . No. 3789

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill to clarify terms of collective bargaining agreements (House, No. 3786) ought to pass with an amendment substituting therefore a Bill relative to the terms of collective bargaining agreements (House, No. 3789). November 2, 2011.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the terms of collective bargaining agreements.

*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 (a) of section 7 of chapter 150E of the General Laws, as appearing in  
2 the 2010 Official Edition, is hereby amended by inserting after the word “years”, in line 3, the  
3 following words:- ; provided, however, that the employer and the exclusive representative  
4 through negotiation may agree to include a provision in a collective bargaining agreement stating  
5 that the agreement’s terms shall remain in full force and effect beyond the 3 years until a  
6 successor agreement is voluntarily negotiated by the parties.

7 SECTION 2. Section 1 shall apply to any collective bargaining agreement that: (i) contained a  
8 provision stating that the terms of the agreement remain in full force and effect beyond 3 years  
9 while the parties negotiate a successor agreement and (ii) expired before the effective date of this  
10 act; provided, however, its application to specific matters may be prohibited under section 3.

11 SECTION 3. Section 2 shall not apply to specific matters that were pending or adjudicated in a  
12 court of competent jurisdiction between October 22, 2010, and November 1, 2011; provided,  
13 however, that an agreement that has been the subject of such specific matters shall be in full  
14 force and effect for other specific matters if the agreement: (i) contained a provision stating that  
15 the terms of the agreement remain in full force and effect beyond 3 years while the parties  
16 negotiate a successor agreement and (ii) expired before the effective date of this act.