

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Sean Garballey**

*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 Provide an Interest Arbitration Alternative for Firefighters.**

PETITION OF:

NAME:

Sean Garballey

DISTRICT/ADDRESS:

23rd Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT TO PROVIDE AN INTEREST ARBITRATION ALTERNATIVE FOR FIREFIGHTERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 In the event that a collective bargaining agreement between a city, town, district or authority and a  
2 firefighter union, as provided for in this chapter and Chapter 589 of the Acts of 1987, has expired, and  
3 the parties have been unable to reach a successor collective bargaining agreement more than 90 days  
4 after expiration of said agreement, than either party may file a petition for interest arbitration with the  
5 American Arbitration Association, or some other neutral agency agreed to by the parties, for the  
6 purpose of resolving said collective bargaining impasse.

7 The arbitrator selected pursuant to the rules of the American Arbitration Association, or some  
8 other neutral agency, shall forthwith contact the parties and promptly arrange for such meetings,  
9 conferences, and arbitration hearings as necessary in order to bring about a final disposition of said  
10 collective bargaining impasse; provided, however, that the arbitrator's authority shall be limited to  
11 those matters authorized by Section 4A of Chapter 589 of the Acts of 1987 and provided further that the  
12 decision of the arbitrator so appointed shall be final and binding provided, however, that in the event  
13 that two-thirds of the legislative body of the town, city, or district involved, vote to reject such award,  
14 such award shall not be binding upon the parties, and shall be returned to the arbitrator initially  
15 selected for further proceedings.

16 The procedures set forth herein, if invoked, shall divest the Joint Labor-Management  
17 Committee, pursuant to Chapter 589 of the Acts of 1987, from exercising authority over such collective  
18 bargaining disputes that proceed pursuant to this section.

19 Should an award, made pursuant to this section, be rejected by the legislative body as provided  
20 herein, the arbitrator selected shall retain jurisdiction over this matter and shall take appropriate action  
21 as a result of said rejection, including, but not limited to conducting further mediation, conducting  
22 further hearings, and/or issuing a revised award.

