

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

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**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:
Byron Rushing	9th Suffolk
Christine E. Canavan	10th Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2730 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**  
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**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 following:

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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.  
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8           (b) Whenever a strike occurs or is about to occur, the employer of the employee organization as the  
9 case may be, may petition the commission to make an investigation. The commission shall  
10 investigate and shall first determine whether such strike, slow-down or withholding of services  
11 so complained of, has been caused in whole or in part by unfair labor practices committed by  
12 the employer, as such are set forth in section 10.  
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14           Whenever the commission shall determine, after investigation, that such strike, slowdown or  
15 withholding of services by such public employees has been proximately caused by the  
16 commission of unfair labor practices by the employer, the commission shall set forth its findings  
17 of fact and decision relative thereto, and such employees shall be deemed to engage in lawful,  
18 concerted activity for the purpose of collective bargaining or other mutual aid or protection,  
19 free from interference, restraint or coercion.

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