

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kenneth J. Donnelly

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 relative to establishing appropriate bargaining units.

PETITION OF:

NAME:

Kenneth J. Donnelly

DISTRICT/ADDRESS:

Fourth Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ESTABLISHING APPROPRIATE BARGAINING UNITS.

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 3 of chapter 150E of the General Laws, as appearing in the 2006 Official Edition, is
2 hereby amended by striking out, in line 6, the words “No unit shall include both professional and
3 nonprofessional employees unless a majority of such professional employees votes for inclusion in such
4 unit; provided, however, that in any fire department, or any department in whole or in part engaging in,
5 or having the responsibility of, fire fighting, no uniformed member of the department subordinate to a
6 fire commission, fire commissioner, public safety director, board of engineers or chief of department
7 shall be classified as a professional, confidential, executive, administrative or other managerial
8 employee for the purpose of this chapter.” and inserting in place thereof, the following words:-
9
9 No unit shall include both professional and nonprofessional employees unless a majority of such
10 professional employees votes for inclusion in such unit; provided, however, that in any fire department,
11 or any department in whole or in part engaging in, or having the responsibility of, fire fighting, no
12 uniformed member of the department subordinate to a fire commission, fire commissioner, public
13 safety director, board of engineers or chief of department shall be classified as a professional,
14 confidential, executive, administrative or other managerial employee for the purpose of this chapter;

15 and provided further that in such fire department, no unit including full-time members shall include
16 part-time or call uniformed members unless a majority of the full-time members of such department
17 consent to such inclusion.