

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Tolman

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 labor relations governing commuter rail employers working within the boundaries of the Commonwealth.

PETITION OF:

NAME:

Steven A. Tolman

DISTRICT/ADDRESS:

Second Suffolk and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S02115 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO LABOR RELATIONS GOVERNING COMMUTER RAIL EMPLOYERS
WORKING WITHIN THE BOUNDARIES OF THE COMMONWEALTH.

*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. The General Laws are hereby amended by inserting after Chapter 160 the
2 following chapter-

3 Chapter 160A.

4 Labor Relations between employees engaged in the operation and maintenance of commuter rail
5 service owned by the Commonwealth or an agency thereof shall be governed by the Railway
6 Labor Act. Employees engaged in the operation and maintenance of commuter rail service and
7 in repair, maintenance and inspection of roadbed, track, right of way, signal systems and
8 locomotives and rolling stock, passengers cars and/ or self-propelled passenger cars shall be
9 afforded the full protection of all federal labor, pension and safety laws pertaining to the railroad
10 employees generally, including, but not limited to the aforesaid Railway Labor Act, the Railroad

11 Retirement Act, the Railroad Unemployment Insurance Act, the Hours of Service Act, the Rail
12 Passenger Service Act, Federal Employees Liability Act and the Federal Transit Act and any
13 subsequent amendments thereto. Any current or future operator of such commuter rail service,
14 whether by contract or otherwise, shall be obligated to accept the transfer of all employees
15 performing such service in accordance with their established seniority, Existing labor contracts
16 and future amendments to such labor contracts will continue to apply, no matter who is the
17 operator, until they are changed in accordance with Section 6 of the Railway Labor Act. The
18 Commonwealth, agencies of the Commonwealth, and officials of the Commonwealth will not
19 contest the applicability of the Railway Labor Act and the other Federal law referred to herein to
20 commuter rail workers and to commuter rail operations, or any part thereof.