

HOUSE No. 2435

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:	DISTRICT/ADDRESS:
Sean Garballey	23rd Middlesex
Martin J. Walsh	13th Suffolk
Christine E. Canavan	10th Plymouth
Benjamin Swan	11th Hampden
Willie Mae Allen	6th Suffolk
Thomas M. Stanley	9th Middlesex
Thomas A. Golden, Jr.	16th 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 the
3 parties have been unable to reach a successor collective bargaining agreement more than 90 days after
4 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 purpose
6 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 those
11 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 that
13 two-thirds of the legislative body of the town, city, or district involved, vote to reject such award, such
14 award shall not be binding upon the parties, and shall be returned to the arbitrator initially selected for
15 further proceedings.

16 The procedures set forth herein, if invoked, shall divest the Joint Labor-Management Committee,
17 pursuant to Chapter 589 of the Acts of 1987, from exercising authority over such collective bargaining
18 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 as
21 a result of said rejection, including, but not limited to conducting further mediation, conducting further
22 hearings, and/or issuing a revised award.