

SENATE No. 01806

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 aAt 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

SENATE No. 01806

By Mr. Tolman, petition (accompanied by bill, Senate, No. 1806) of Tolman for legislation relative to labor relations governing commuter rail employers working within the boundaries of the Commonwealth [Joint Committee on Transportation].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 1985 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An aAt 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. Labor Relations between employees engaged in the operation and
4 maintenance of commuter rail service owned by the Commonwealth or an agency thereof shall
5 be governed by the Railway Labor Act. Employees engaged in the operation and maintenance of
6 commuter rail service and in repair, maintenance and inspection of roadbed, track, right of way,
7 signal systems and locomotives and rolling stock, passengers cars and/ or self-propelled
8 passenger cars shall be afforded the full protection of all federal labor, pension and safety laws

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