

SENATE NO. 2115

AN ACT RELATIVE TO LABOR RELATIONS GOVERNING COMMUTER RAILEMLOYERS 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 following
2 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 Labor
6 Act. Employees engaged in the operation and maintenance of commuter rail service and in repair,
7 maintenance and inspection of roadbed, track, right of way, signal systems and locomotives and
8 rolling stock, passengers cars and/ or self-propelled passenger cars shall be afforded the full protection
9 of all federal labor, pension and safety laws pertaining to the railroad employees generally, including,
10 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 performing
15 such service in accordance with their established seniority, Existing labor contracts and future
16 amendments to such labor contracts will continue to apply, no matter who is the operator, until they
17 are changed in accordance with Section 6 of the Railway Labor Act. The Commonwealth, agencies of
18 the Commonwealth, and officials of the Commonwealth will not contest the applicability of the
19 Railway Labor Act and the other Federal law referred to herein to commuter rail workers and to
20 commuter rail operations, or any part thereof.

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