

Chapter 198.

AN ACT RELATIVE TO THE TERMS OF COLLECTIVE BARGAINING AGREEMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to ensure that public employers and public employees have appropriate tools to negotiate collective bargaining agreements, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Subsection (a) of section 7 of chapter 150E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word "years", in line 3, the following words:- ; provided, however, that the employer and the exclusive representative through negotiation may agree to include a provision in a collective bargaining agreement stating that the agreement's terms shall remain in full force and effect beyond the 3 years until a successor agreement is voluntarily negotiated by the parties.

SECTION 2. Section 1 shall apply to any collective bargaining agreement that: (i) contained a provision stating that the terms of the agreement remain in full force and effect beyond 3 years while the parties negotiate a successor agreement; and (ii) expired before the effective date of this act; provided, however, the application of section 1 to specific matters may be prohibited under section 3.

SECTION 3. Section 2 shall not apply to specific matters that were pending or adjudicated in a court of competent jurisdiction between October 22, 2010 and the effective date of this act; provided, however, that an agreement that has been the subject of such specific matters shall be in full force and effect for all other purposes if the agreement: (i) contained a provision stating that the terms of the agreement remain in full force and effect beyond 3 years while the parties negotiate a successor agreement; and (ii) expired before the effective date of this act.

Approved, November 22, 2011.