

Massachusetts General Laws Annotated
Part I. Administration of the Government (Ch. 1-182)
Title XXI. Labor and Industries (Ch. 149-154)
Chapter 149. Labor and Industries (Refs & Annos)

M.G.L.A. 149 § 193

§ 193. Effect of professional employer agreements on collective bargaining
or rights of employees under any applicable state or federal law

Effective: August 10, 2018
Currentness

(a) Nothing contained in sections 192 to 203, inclusive, or in any professional employer agreement shall affect, modify or amend any collective bargaining agreement or the rights or obligations of any client, PEO or covered employee under chapter 150A, chapter 150E, the federal National Labor Relations Act, the federal Railway Labor Act or any other applicable federal or state law.

(b) Collective bargaining, if commenced after an agreement is entered into between a PEO and a client, shall be conducted as required by federal and state law.

(c) Nothing in sections 192 to 203, inclusive, or in any professional employer agreement shall: (i) diminish, abolish or remove rights of covered employees to a client or obligations of such client to a covered employee existing prior to the effective date of the professional employer agreement under federal or state law; (ii) affect, modify or amend any contractual relationship or restrictive covenant between a covered employee and any client in effect at the time a professional employer agreement becomes effective or prohibit or amend any contractual relationship or restrictive covenant that is entered into subsequently between a client and a covered employee; provided, however, that a PEO shall have no responsibility or liability in connection with, or arising out of, any such existing or new contractual relationship or restrictive covenant unless the PEO has specifically agreed otherwise in writing; or (iii) affect, modify or amend any employee rights under federal, state, local or municipal law.

Credits

Added by St.2018, c. 228, § 22, eff. Aug. 10, 2018.

M.G.L.A. 149 § 193, MA ST 149 § 193

Current through Chapter 46, except Chapter 41 of the 2019 1st Annual Session

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