

**HOUSE . . . . . No. 2465**

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**The Commonwealth of Massachusetts**

**PETITION OF:**

Robert A. DeLeo  
Joyce A. Spiliotis  
Ruth B. Balsler  
Jennifer L. Flanagan  
Lida E. Harkins  
Alice K. Wolf  
Anne M. Gobi  
John W. Scibak  
Timothy J. Toomey, Jr.  
John D. Keenan  
Geraldo Alicea  
Louis L. Kafka  
Joseph R. Driscoll  
Cleon H. Turner  
Jennifer M. Callahan  
Christine E. Canavan  
Steven J. D'Amico

Kathi-Anne Reinstein  
Barbara A. L'Italien  
Walter F. Timilty  
John P. Fresolo  
Frank I. Smizik  
Michael F. Rush  
Stephen Stat Smith  
Bruce J. Ayers  
James B. Eldridge  
Michael E. Festa  
Michael J. Moran  
Peter J. Koutoujian  
Brian P. Wallace  
Allen J. McCarthy  
Christopher N. Speranzo

**In the Year Two Thousand and Seven.**

**AN ACT RELATIVE TO WRITTEN MAJORITY AUTHORIZATION CARDS, PETITIONS  
AND OTHER WRITTEN EVIDENCE OF COLLECTIVE BARGAINING RESULTS**

*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.** Section 1 of Chapter 150E of the General Laws is hereby amended by inserting after the last paragraph thereof the following paragraph:—

“Written majority authorization”, writings signed and dated by employees in the form of authorization cards, petitions, or such other written evidence as the commission shall find suitable, in which a majority of employees in an appropriate bargaining unit designate an employee organization as their representative for the purpose of collective bargaining. Employee

signatures must be dated within the twelve months preceding the date on which the writings are proffered to establish majority and exclusive representative status within the meaning of section four.

SECTION 2. Section 4 of Chapter 150E of the General Laws is hereby amended by inserting at the conclusion of the second paragraph thereof the following:—

Notwithstanding any other provision of this section, the commission shall certify and the public employer shall recognize as the exclusive representative for the purpose of collective bargaining of all the employees in the bargaining unit an employee organization which has received a written majority authorization as defined in section one and as hereinafter set forth, provided that this rule shall apply only when no other employee organization has been and currently is lawfully recognized as the exclusive representative of the employees in the appropriate bargaining unit. Whenever an employee organization proffers evidence that it has received a written majority authorization, the employee organization and the public employer shall agree upon a neutral to conduct a confidential inspection of the evidence of written majority authorization. If within ten days the employee organization and the public employer do not agree upon a neutral, the commission shall act as the neutral. The neutral shall verify the employee organization's majority support within the appropriate bargaining unit and report the results of such inspection in writing to the parties and, if the verification was conducted by an agreed neutral, to the commission, which shall in turn certify the results to the parties, in writing. The commission shall establish rules and procedures for the prompt verification of evidence of written majority authorization, which rules shall include safeguards to protect the privacy of individual employee choice, and which shall further provide that, absent exceptional cause, the verification procedure shall not last longer than ten days from the appointment of the neutral or from assumption by the commission of the duties of the neutral.

SECTION 3. Section 2 of Chapter 150A of the General Laws is hereby amended by inserting after subsection eleven thereof the following subsection:—

(12) The term "written majority authorization" means writings signed and dated by employees in the form of authorization cards, petitions, or such other written evidence as the commission shall find suitable, in which a majority of employees in a unit appropriate for the purposes of collective bargaining designate or select a labor organization as their representative for the purposes of collective bargaining. Employee signatures must be dated within the twelve months preceding the date on which the writings are proffered to establish majority and exclusive representative status within the meaning of subsection (a) of section five.

SECTION 4. Subsection (c) of section five of Chapter 150A of the General Laws is hereby amended by inserting at the conclusion thereof the following:—

Notwithstanding any other provision of this section, the commission shall certify to the parties, in writing, and the employer shall recognize as the exclusive representative for the purposes of collective bargaining of all the employees in the bargaining unit a labor organization which has received a written majority authorization as defined in section two and as hereinafter set forth, provided that this rule shall apply only when no other labor organization has been and currently is lawfully recognized as the exclusive representative of the employees in the appropriate bargaining unit. Whenever a labor organization proffers evidence that it has received a written majority authorization, the labor organization and the employer shall agree upon a neutral to conduct a confidential inspection of the evidence of written majority authorization. If within ten days the labor organization and the employer do not agree upon a neutral, the commission shall act as the neutral. The neutral shall verify the labor organization's majority support within the appropriate bargaining unit and report the results of such inspection in writing to the parties and, if the verification was conducted by an agreed neutral, to the commission, which shall in turn certify the results to the parties, in writing. The commission shall establish rules and procedures for the prompt verification of evidence of written majority authorization, which rules shall include safeguards to protect the privacy of individual employee choice, and which shall further provide that, absent exceptional cause, the verification procedure shall last not longer than ten days from the appointment of the neutral or from the assumption by the commission of the duties of the neutral.