

HOUSE No. 2628

The Commonwealth of Massachusetts

PETITION OF:

Paul Kujawski
David Holway

In the Year Two Thousand and Seven.

AN ACT PROVIDING PROTECTION FROM ARBITRARY REMOVAL.

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

Chapter 30 of the General Laws is hereby amended by inserting a new section 9J as follows:

§ 9J Employees of the Commonwealth; protection from arbitrary removal
No employee of the Commonwealth, other than a managerial employee within the meaning of chapter 150E, shall after having continuously performed the duties of a position classified under chapter 31 for six months shall be discharged, removed, suspended, laid off, transferred from the latest position held by him without his consent, lowered in rank or compensation, nor shall his office or position be abolished except for just cause and in the manner provided by sections 39 to 45 inclusive of chapter 31.

Appeals from acts of appointing authorities arising under this section may be filed by the employee in the manner prescribed by chapter 31 or may, at the election of the employee and with the written consent of the collective bargaining representative, be submitted to final and binding arbitration under the terms of any collective bargaining agreement which contains provision for final and binding arbitration.