

NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

“shall have the right of self-organization and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve.”

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities nor will any employee's statutory rights and privileges be impaired.

SOURCE: MASC September 2016

LEGAL REF.: M.G.L. 150E:1 et seq.

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