

MCTA Fall/Holiday Meeting
November 4, 2026

LABOR RELATIONS 101

Chapter 150E and Beyond

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BUT FIRST ....

A DISCLAIMER!

- Today is a high-level overview.
- Your role may include bargaining, administering contracts, implementing agreements, or supervising employees.
- Contracts, municipal structures, and employee groups can add different layers of complexity.
- We bring different experience levels and perspectives — and that's a strength.

Bargaining & Negotiations

Contract Administration

Payroll & Implementation

Employee Supervision



Massachusetts labor relations keeps everyone humble.

AGENDA

Today’s training provides a practical overview of Massachusetts public-sector labor relations for treasurers and collectors.

We’ll cover Chapter 150E, management rights, bargaining obligations, discipline, employee rights, and grievances — with real-world municipal examples to connect these concepts to your daily work.

- **Labor Law Basics & Chapter 150E**
- **Management Rights & Bargaining Obligations**
- **Discipline, Employee Rights & Grievances**
- **Common Pitfalls & Practical Takeaways**



You don’t have to know every answer - just when to pause and ask for help.

WHAT IS LABOR RELATIONS?

- Managing the relationship between a public employer, unions, and represented employees.
- Includes negotiating, administering, and implementing collective bargaining agreements — and resolving disputes.
- Addresses wages, hours, benefits, working conditions, and other terms of employment.



In labor relations, the meeting is rarely the whole story — the relationship is.

The workplace rules we know today were hard-won.

A VERY BRIEF LABOR HISTORY



- U.S. labor history grew out of workers organizing for safer conditions, fair pay, and reasonable hours.
- Massachusetts mills and factories helped shape that history, including labor organizing in Lowell and the 1912 Lawrence “Bread and Roses” strike.
- Those efforts helped build workplace protections and a collective voice for employees.

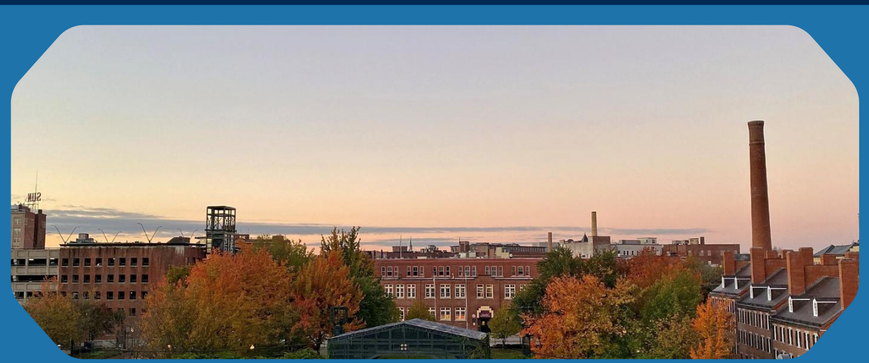
POP QUIZ!

Labor Day is not just mattress sales and cookouts.

- Why do we celebrate Labor Day?
- Where was it first celebrated?
- When did it become a federal holiday?

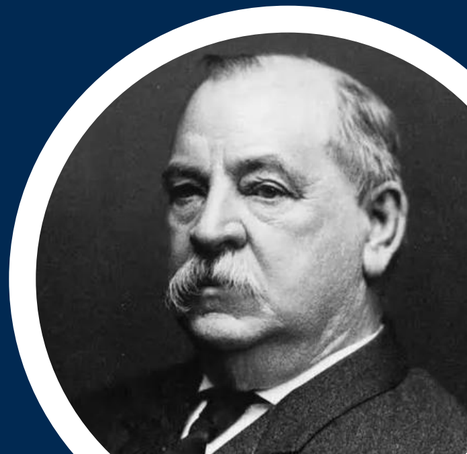






- Honors the social and economic contributions of workers.
- First celebrated in New York City in 1882.
- Became a federal holiday in 1894.
- Massachusetts was among the early states to recognize Labor Day.







THE BASICS: SOURCES OF LABOR LAW

- Chapter 150E governs public-sector bargaining in Massachusetts.
- Massachusetts' public-sector counterpart to the National Labor Relations Act.
- Requires good-faith bargaining over wages, hours, productivity, and other terms and conditions of employment.
- Protects employee rights to organize and bargain collectively.
- Administered by the Department of Labor Relations (DLR).

Good faith means a real process.

THE BASICS: CHAPTER 150E

EMPLOYEE RIGHTS

Form, join, or assist a union; bargain collectively through their representatives; engage in protected concerted activity.

EMPLOYER DUTY

Bargain in good faith over wages, hours, productivity and performance standards, and other terms and conditions of employment.

- Do not retaliate for protected union activity.
- Do not bypass the union.
- Check bargaining obligations before implementing changes.

Good faith requires a real process; it does not require concessions.



ADDITIONAL RESOURCES

"A Guide to Public Employee Collective Bargaining Law" (The Green Book)

- Available online through the Department of Labor Relations.
- Explains Chapter 150E and the collective bargaining process.
- Covers employee rights, prohibited practices, and dispute resolution.
- Essential reference for understanding Chapter 150E obligations.

www.mass.gov/a-guide-to-the-massachusetts-public-employee-collective-bargaining-law



A useful reference — not a substitute for advice on your specific situation.
HR and Labor Counsel are your first call for questions, guidance, and compliance support.

KEY TERMS

Collective Bargaining Agreement (CBA)	Memorandum of Agreement (MOA)	Union and Bargaining Unit
Good-Faith Bargaining	Management Rights	Discipline
Grievance & Arbitration	Due Process	Direct Dealing

You don’t need to speak fluent labor relations - just recognize the lanugage.

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THE BASICS - WHAT IS A UNION?

What Is a Union?

- An employee organization that represents employees collectively.
- Serves as the exclusive bargaining representative for a bargaining unit.
- Negotiates wages, benefits, and working conditions on employees' behalf.

Working with Unions

- *A Union is not a barrier to progress.*
- *A Union is not something to avoid.*
  - Recognize the union's role in a represented workplace.
  - Build relationships early — not just when problems arise.
  - Work within the bargaining relationship, not around it.

Labor relations done well makes your job easier, not harder.

THE BASICS:
WHAT IS A BARGAINING UNIT?



- **A defined group of employee positions represented by a union.**
- **The collective bargaining agreement applies to employees within that unit.**
- **One union may represent multiple bargaining units, each with its own agreement.**

What's the difference?

The bargaining unit is the group of employees represented.

The union is the organization that represents that group in bargaining and contract enforcement.

ONE MUNICIPALITY. MULTIPLE BARGAINING UNITS.

Newton as an example - not a template.



Public Works, Parks & Building employees
(Teamsters Local 25)

Foreman (Supervisors)
(AFSCME Local 2443)

Engineers
(AFSCME Local 1703)

Police Officers
ewton Police Association)

Police Superior Officers
(Newton Police Superiors Officers Association)

Firefighters and Fire Officers
(IAFF Local 863)

Parking Control & Traffic Supervisors
(AFSCME Local 2913)

Inspectors & Other Municipal Employees
(AFSCME Local 3092)

School Nurses
(Ma achusetts Nurses Associatio

Seperate Contracts. Connected decisions.

WHAT IS A COLLECTIVE BARGAINING AGREEMENT?

- A negotiated agreement between the public employer and the union.
- Establishes wages, hours, benefits, and other terms and conditions of employment for the bargaining unit.
- Provides the framework for administering the agreement and resolving contract disputes.

And where does an MOA fit?

- A Memorandum of Agreement (MOA) documents an agreement between the parties — such as a successor contract settlement or a change during the contract term.



AGREEMENT

-between-

CITY OF NEWTON

-and-

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, COUNCIL 93

LOCAL 3092 and 3092b

CITY OF NEWTON ASSOCIATES (Local 3092)

INSPECTORS (Local 3092b)

July 1, 2024 – June 30, 2027

FY25 through FY27

Before you apply the contract, make sure you have the complete agreement.



WHAT ARE MANAGEMENT RIGHTS?

- The employer’s authority to manage operations, set policy, and direct services.
- The applicable contract and law help define the scope of that authority.
- A management decision may still create bargaining obligations over its effects on employees.
- Review those obligations before implementing changes.

The right to make a decision isn’t always the right to implement it without bargaining.

CORE MANAGERIAL RIGHTS

Decisions about how the municipality organizes and delivers services may include:

Creating or abolishing positions

Organizational Structure

Staffing and resource allocation

Levels of Service



The decision and its effects require separate consideration.

Start with the operational goal. Check the contract. Assess bargaining obligations.

MANAGEMENT RIGHTS IN PRACTICE

The municipality wants to improve access to the Treasurer/Collector's Office during peak tax-payment periods. The proposed plan would:

- ***Open the counter one evening each week.***
- ***Adjust employee schedules to cover the extended hours.***
- ***Cross-train staff and redistribute some responsibilities.***

The Treasurer/Collector plans to announce the changes at next week's staff meeting and begin the following month.

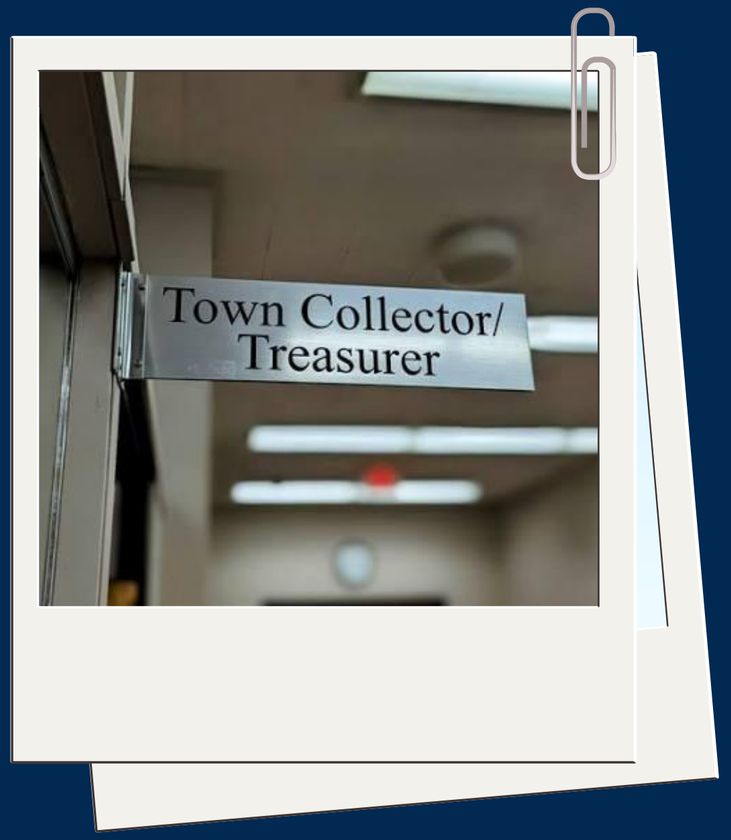
Before announcing the plan, what should be reviewed — and who should be involved?



Preventive maintenance is always easier than damage control.

MANAGEMENT RIGHTS IN PRACTICE

TAKE ONE MINUTE WITH YOUR NEIGHBOR, THEN SHARE YOUR OBSERVATIONS.



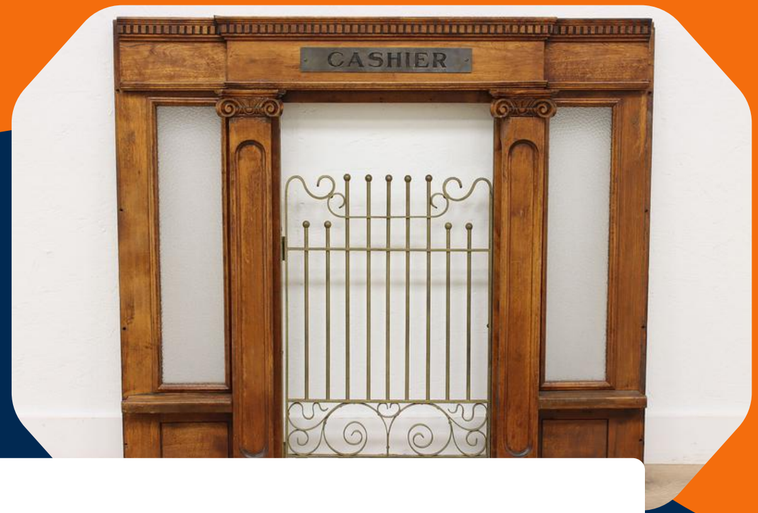
BEFORE THE ANNOUNCEMENT…

What questions should we ask?

1. **THE OPERATIONAL GOAL: What is management trying to accomplish?**
2. **THE EMPLOYEE EFFECTS: What would change for the represented employees?**
3. **THE PROCESS: What should be reviewed — and who should be involved — before moving forward?**

A reasonable goal still needs the right process.

SAME PLAN. TWO QUESTIONS



The decision — and its effects

The Management Decision:

- Improve public access and determine how services will be delivered.
- Assess the scope of management's authority under the applicable law and agreement.

The Potential Employee Effects:

- Changes to schedules, evening assignments, duties, workload, or overtime arrangements.
- Assess whether the proposed changes require notice and an opportunity to bargain before implementation.

REVIEW THE AGREEMENT → INVOLVE THE RIGHT PARTNERS → ADDRESS BARGAINING OBLIGATIONS → IMPLEMENT

Don't announce a settled plan before reviewing the obligations.

WHAT IS COLLECTIVE BARGAINING?



- A process in which the public employer and union negotiate wages, hours, and other terms and conditions of employment.
- Requires good-faith participation — not agreement to every proposal.
- Brings together operational needs, employee interests, and financial realities.

The goal isn't to avoid disagreement — it's to work through it constructively.

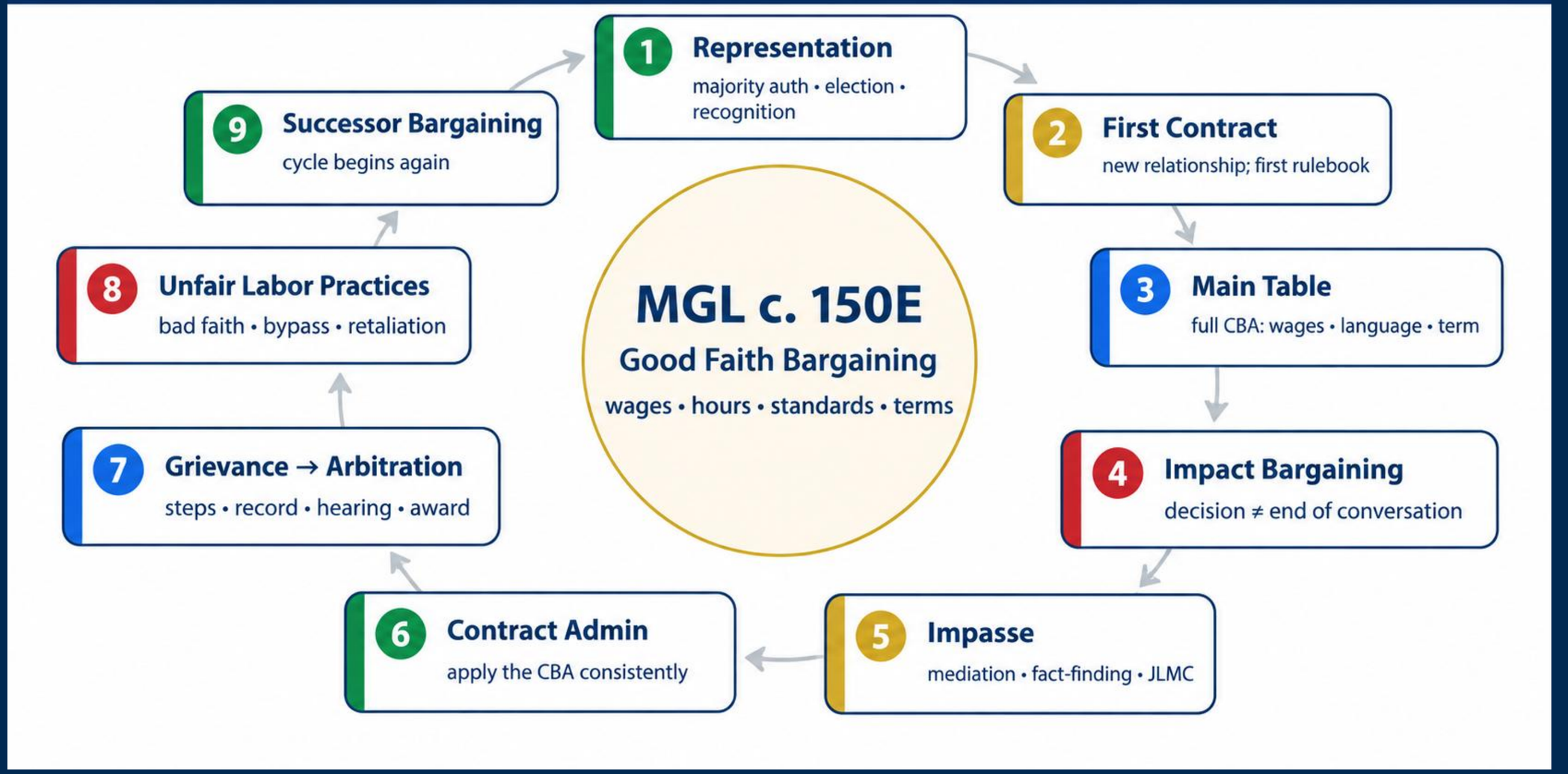
GOOD BARGAINING STARTS BEFORE THE TABLE

- Align municipal leadership, HR, labor counsel, finance, and departments.
- Identify operational needs and priorities early.
- Understand costs, financial limits, and implementation challenges.
- Coordinate proposals, roles, and messaging.
- Communicate consistently throughout the process.



Good bargaining is not improvised.
It is prepared, aligned and managed.

LABOR RELATIONS LIFE CYCLE



The agreement is an important milestone — but it isn't the finish line.

COLLECTIVE BARGAINING BASICS

Successor Bargaining

Negotiating the next collective bargaining agreement — wages, benefits, contract language, and working conditions. Also called main-table bargaining.

Interim Bargaining

Negotiating an issue during the term of an existing contract, rather than waiting for the next full contract negotiation.

Impact Bargaining

Negotiating the effects of a management decision on represented employees, even when the decision itself is within management's authority.



Identify the operational need early
then work with your bargaining team on the process.



COLLECTIVE BARGAINING IN PRACTICE

Examples from the City of Newton

Successor Bargaining

Actively negotiating FY28–30 successor agreements with all nine municipal bargaining units.



Interim Bargaining

In 2023, the City addressed dispatch staffing challenges through a mid-contract agreement focused on recruitment, retention, paid leave, and compensation.

Impact Bargaining

Addressing the effects of changes on represented employees, including the Non-Discrimination Policy and the removal of GLP-1 medications from the City's BCBS drug formulary.

Different bargaining processes. The same need for early preparation and coordination.



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SUBJECTS OF BARGAINING

Mandatory Subjects

Wages, hours, productivity standards, and terms of employment — the City MUST bargain over these topics.

Permissive Subjects

Subjects the parties may discuss voluntarily, but neither side can require the other to bargain over.

Managerial Decisions & Bargainable Impacts

Certain core decisions belong to management, but their effects on employees may require bargaining.

Identify the subject before deciding how to proceed.



SUBJECTS OF BARGAINING PUT INTO PRACTICE

What bargaining obligation should we consider?

Changing Work Schedules

The municipality proposes changing employees' regular work hours.

Expanding the Bargaining Unit

The union proposes adding an existing, currently unrepresented position to its bargaining unit.

Reorganizing a Department

The municipality proposes a reorganization that would change employees' assignments and workloads.

Consider both the decision and its effects.

THE FUN STUFF

If you haven't had fun already, buckle your seatbelts...

Discipline and employee rights

Grievances

Practical Takeaways

Q & A



WORKPLACE DISCIPLINE: PURPOSE AND PRACTICE

What is it?

Discipline is action taken to address employee conduct or performance that falls short of established rules or expectations.

Why does it matter?

- **Supports a safe, productive, and respectful workplace.**
- **Sets clear expectations and accountability.**
- **Promotes fair and consistent treatment.**



The goal of discipline is correction, clarity, and accountability.

JUST CAUSE .....

IS THE DISCIPLINE FAIR AND SUPPORTED BY THE FACTS?

Notice:
Did the employee know the rule and the potential consequences?

Reasonable Rule:
Is the rule tied to legitimate operational, safety, or conduct expectations?

Investigation:
Was the investigation fair, timely, and thorough?

Proof:
Does the evidence support the alleged misconduct?

Consistency:
Have similar cases been handled similarly?

Proportionality:
Does the penalty fit the conduct and the employee's record?

Document facts, not fury.

WHAT IS PROGRESSIVE DISCIPLINE?



THE APPROACH:

- A corrective approach uses increasingly serious responses when conduct or performance does not improve.

THE PURPOSE

- Clarifies expectations, supports improvement, and establishes fair consequences.

The focus is not just the final penalty — it is the process that leads up to it.

EMPLOYEE RIGHTS: INVESTIGATIONS & DISCIPLINE

Weingarten

Union representation upon request in an investigatory interview when the employee reasonably fears discipline.

Loudermill

Notice, an explanation of the evidence, and an opportunity to respond before termination for covered public employees.

Employee Rights

Garrity/Carney

Compelled statements and potential criminal exposure — contact labor counsel immediately.

Administrative Leave

Coordinate authority, pay status, notice, and communications with HR and labor counsel.



WEINGARTEN RIGHTS:

What does the right apply?

A represented employee requests union representation during an investigatory interview they reasonably believe could lead to discipline.

What should the manager do?

- Stop investigatory questioning.
- Do not discourage or work around the request.
- Contact HR or labor counsel before proceeding.

Denying a valid request and continuing the interview can violate the employee's rights under Chapter 150E

A request for representation is a signal to pause — not push through.



WEINGARTEN ROLE PLAY

The Case of the Missing Spreadsheet

Watch for the moment the meeting changes ...

- What changes the conversation from routine to investigatory?
- When does the employee request representation?
- What should the manager do next?

Recognize the change. Pause the questioning. Get guidance.



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GRIEVANCES

Grievances: What Manager's Need to Know

- A formal claim that the employer violated the collective bargaining agreement.
- The CBA defines the process, steps, and deadlines.
- Common issues include discipline, overtime, promotional bypass, and out-of-grade pay.
- Respond promptly, preserve records, and coordinate with HR and labor counsel.

A grievance is a process to manage — not a personal attack.

PROHIBITED PRACTICES
THE BIG PICTURE

- Do not interfere with employee or union rights.
- Do not discriminate or retaliate because of union activity.
- Do not refuse to bargain in good faith.
- When in doubt, stop and call HR/Labor Counsel.





Good intentions do not replace bargaining obligations.

COMMON LABOR RELATIONS PITFALLS



- Unilateral changes: changing terms and conditions without meeting bargaining obligations.
- Transfer of work: moving bargaining-unit work without checking obligations.
- Direct dealing: negotiating bargainable changes directly with employees instead of the union.

Good Intentions, Unintended Consequences.

If you are changing work, duties, or conditions, pause and involve Labor early.

CASE STUDY: DIRECT DEALING

The situation:

Maria, a new supervisor, wants to update the duties of Jordan, a union-represented Administrative Coordinator.

The change:

Maria proposes adding:

- Tracking departmental expenditures
- Preparing draft budget spreadsheets
- Serving as the liaison with the central finance office

What happens:

Maria and Jordan agree to the additional duties during a one-on-one meeting. The union later learns of the changes and files an Unfair Labor Practice charge alleging direct dealing.

Where did the conversation go off track?

CASE STUDY: DIRECT DEALING

LESSONS LEARNED:

- Maria went off track when she negotiated changes to duties directly with Jordan.
- Jordan’s agreement did not replace the union’s role.
- The issue was the process — not the goal of improving operations.
- Involve HR and labor counsel before negotiating changes to represented positions.

Talk with your employees. Don’t negotiate around the union.

MANAGER CHECKLIST BEFORE YOU MAKE A CHANGE •••••

Engage EARLY and OFTEN!

- Identify the change and who it affects.
- Review the applicable CBA and past practice.
- Document the operational need and proposed timing.
- Contact HR and labor counsel to assess bargaining obligations.

KEY TAKE AWAYS

- Know your contract, bargaining unit, and Chapter 150E obligations.
- Management rights do not eliminate bargaining obligations.
- Bargain in good faith — work as one coordinated team.
- Respect employee rights; don’t bypass the union or retaliate.
- Use fair, consistent, documented discipline.
- Handle grievances with facts, good records, and timely action.



Pause. Check. Call. Then act.

Phone a friend on your HR team or Labor Counsel!

Good Labor Relations start with good relationships.

THANK YOU

Questions?

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