

SELECT BOARD POLICY FOUR

Collective Bargaining

The Town Manager or Town Manager's designee shall review with the Select Board the status and expiration dates of all agreements with all collective bargaining units for town staff (except those under the authority of the school department) on an annual basis, under most circumstances within ninety (90) days following the beginning of each fiscal year.

In a timely manner prior to the expiration of any town collective bargaining agreement, the Select Board and the Town Manager shall meet, subject to, and in accordance with, the Open Meeting Law in executive session, to discuss collective bargaining strategy, including financial considerations and other goals to help assure mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed. Under most circumstances the negotiating team at negotiating sessions will consist of the Town Manager and the Town Human Resources Director, and the Town Manager may include Town labor counsel at such sessions or confer with labor counsel separately. The Board may designate one or two Board members who may attend negotiating sessions and consult with the negotiating on day to day strategic questions, but will not make any decision on behalf of the Board. The Town Manager shall meet with the Board, subject to, and in accordance with, the Open Meeting Law in executive session, to discuss strategy and report on the progress of negotiations or present the Town Comptroller's report on financial impacts of any proposal on a regular basis.

All negotiations between the town and recognized employee groups are conducted subject to Chapter 150E of the Massachusetts Laws and it is the legal responsibility of the Board and all employee organizations to bargain "in good faith."

Sources and Notes:

M.G.L. Chapter 150E, Section 1: "Employer" or "public employer", [shall mean] any county, city, town, district, or other political subdivision acting through its chief executive officer, and any individual who is designated to represent one of these employers and act in its interest in dealing with public employees.... In the case of school employees, the

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municipal employer shall be represented by the school committee or its designated representative or representatives.

Winchester Town Home Rule Charter, Section 4-2(n):

“[The town manager] shall be responsible for the negotiation of all contracts involving any subject within his jurisdiction. These proposed contracts shall be subject to final approval and execution by the select board.”

Mass. Municipal Association Handbook for Massachusetts Selectmen, 4th Ed., 2014, page 141:

“The most important role of the board of selectmen in contract negotiations is establishing the parameters or goals for the negotiations. Generally, this means starting several months before collective bargaining agreements expire, working with the manager or administrator and financial professionals to establish fiscal parameters, identifying the amount of revenue projected to be available, and calculating the true cost of wage or benefit increases.”