

January 26, 2024

Because the Newton Teacher's Strike has continued notwithstanding my order of January 22, 2024 imposing coercive fines against the Newton Teachers Association (the "NTA") for its violation of the law, a hearing was held this day. As of January 26, 2024, coercive fines against the NTA total \$375,000. For all the reasons stated on the record during today's hearing, I will continue to assess fines but discontinue escalating fines on a daily basis because I perceive a risk that such large, escalating fines would undermine effective and fair collective bargaining, which is promoted by the same labor relations statute that contains the prohibition on public union strikes (c. 150E). Fines will be assessed as follows:

If the NTA and its officers and the employees it represents have failed to fully comply with the PI Order by **January 28, 2024, at 8:00 p.m.**, NTA shall pay the sum of **\$50,000** as a coercive fine payable to the general fund of the Commonwealth of Massachusetts.

If the NTA's noncompliance continues after January 28, 2024, at 8:00 p.m., a daily coercive fine of \$50,000 will be imposed against the NTA at 8:00 p.m. on each day that noncompliance continues, without prejudice to either party: a) filing a motion asking me to reconsider the amount of the coercive fine in light of new circumstances; or b) asking me to reconsider coercive fines due to alleged noncompliance with the good faith bargaining requirements of the Order, or for some other reason.



Christopher K. Barry-Smith
Associate Justice, Superior Court
Dated: January 26, 2024