

QUESTION

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Collective Bargaining for CPCS Employees

IN PLAIN LANGUAGE

This question asks whether workers with the Committee for Public Counsel Services — which offers legal representation to indigent criminal defendants — should be able to form a public-sector union and collectively bargain.

CommonWealth
— BEACON —

ELECTION **2026** 

YES

A YES VOTE WOULD...

Allow CPCS employees to create a union and participate in collective bargaining over working conditions like hours, salaries, and benefits.

PROPONENTS CLAIM

- Employees in more than 180 other state agencies are able to bargain collectively. CPCS workers should have the same rights.
- Massachusetts public defenders are paid “woefully low salaries,” the Boston Bar Association has argued for decades, and their inability to organize keeps their wages low.
- Collective bargaining would also allow staff attorneys — who often work long hours with unpredictable caseloads — to advocate for more consistency and fairness in workplace policies, and help with recruitment and retention of attorneys and staff.

The effort is backed by unions including the National Association of Government Employees and SEIU Local 888.

OTHER THINGS TO KNOW

- Employees of the public defender organization have tried to unionize on at least three separate occasions since 1979, but in each instance, state labor officials found they did not possess collective bargaining rights under state law.
- For six consecutive legislative sessions since 2015, bills that would allow CPCS workers to unionize and bargain died on Beacon Hill. Several advanced through committees but did not receive a House or Senate vote.
- The staffing challenges of CPCS employees were thrust onto the public stage in 2025 when bar advocates, the private attorneys who handle indigent defense cases under CPCS management, engaged in a work stoppage to protest their pay rates. More than 1,500 criminal charges were dropped during the strike.
- If passed, this ballot measure will not allow bar advocates to collectively bargain. The Legislature responded to the bar advocate work stoppage by increasing District Court rates for private lawyers to \$75 an hour this spring, which was followed by another bump to \$85 in August.

NO

A NO VOTE WOULD...

Keep CPCS employees as they are: not among the public employees in Massachusetts that are allowed to collectively bargain.

OPPONENTS CLAIM

- A legislative report from Beacon Hill’s special ballot question committee recommended that lawmakers not pass the ballot measure as written because of concerns that unionizing activity could disrupt existing management frameworks, muddle chains of authority, and create operational inefficiencies.
- Standardizing work hours could limit the agency’s flexibility to respond to an influx of cases and other court demands, the report also noted.

There is no registered opposition to the ballot campaign.