

HOUSE No. 1721

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act extending protections to employees of the Commonwealth.

PETITION OF:

NAME:

Daniel J. Hunt

Benjamin Swan

DISTRICT/ADDRESS:

13th Suffolk

11th Hampden

HOUSE No. 1721

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 1721) of Daniel J. Hunt and Benjamin Swan relative to evaluating injury and illness data and establishing safety and health measures to protect employees of the Commonwealth. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2460 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act extending protections to employees of the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1

2 The first paragraph of section 6 of chapter 149 of the general laws is hereby amended by
3 adding a second sentence as follows:

4 With respect to employees of the Commonwealth and its departments, authorities, boards
5 and commissions, such regulations shall provide at least the level of protection to employees as
6 are provided under the federal Occupational Safety and Health Act. In the absence of a state
7 regulation, the department shall apply the applicable provisions of said Act and such provisions
8 shall be enforceable in the district court in the jurisdiction in which the violation occurs.

9 The governor shall appoint an occupational health and safety hazard advisory board to
10 evaluate injury and illness data, recommend training and implementation of safety and health
11 measures, monitor the effectiveness of safety and health programs, and determine where
12 additional resources are needed to protect the safety and health of the Commonwealth's
13 employees. The advisory committee shall have 13 members, comprised as follows: the secretary
14 of Labor and Workforce Development, or his or her designee, who shall serve as the co-
15 chairperson; the chief human resources officer, or his or her designee, who shall serve as co-
16 chairperson; the director of the Division of Labor Standards; the secretary of Administration and
17 Finance, or his or her designee; the director of the Office of Employee Relations, or his or her
18 designee; the commissioner of the Department of Public Health, or his or her designee; the
19 director of the Department of Industrial Accidents, or his or her designee; four representatives
20 from labor unions representing the employees of the Commonwealth; one representative from a
21 community-based health and safety advocacy organization, and one member of the faculty of the
22 Department of Work Environment at the University of Massachusetts, Lowell.

23 The director, in consultation with the advisory board, shall promulgate rules and
24 regulations recommended to him or her by such board which establish standards whenever such
25 board finds (i) that no federal standard exists for the particular condition being addressed and
26 that such a standard is necessary for the protection of the public employees at risk, or (ii) a
27 federal standard exists, but conditions in public workplaces in this state require a different
28 standard, and such state standard will be at least as effective in providing safe and healthful
29 places of employment as the federal standard.

30 Section 2

31 The fourth paragraph of section 6 of chapter 149 of the general laws, as most recently
32 amended, is hereby repealed.