

**HOUSE . . . . . No. 02963**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Stephen Kulik*

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*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 passage of the accompanying bill:

An Act modernizing municipal personnel systems.

\_\_\_\_\_  
PETITION OF:

NAME:

| DISTRICT/ADDRESS:

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# HOUSE . . . . . No. 02963

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 2963) of [petitioners] for legislation to further regulate the hiring of certain employees in cities and towns and further regulating the benefits provided for such employees Joint Committee on Public Service.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act modernizing municipal personnel systems.

*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. Section 4I of Chapter 7 is hereby repealed.

2 SECTION 2. Notwithstanding any other law to the contrary, beginning on July 1, 2011 the  
3 provisions of Chapter 31 shall not apply to the selection, promotion, or discipline any municipal  
4 employee. Provided further, that as of said date, at local option, the provisions of Chapter 31 may  
5 apply for the initial screening and selection of police officers and firefighters.

6 SECTION 3. Said section 5 of chapter 32 of the General Laws is hereby further amended by  
7 striking out the table in paragraph (a) of subdivision (2), as appearing in the 2008 Official  
8 Edition, and inserting in place thereof the following table:

9 Per Cent	Group 1	Group 2	Group 4
10 2.5	67 or older	62 or older	57 or older

11	2.375	66	61	56
12	2.250	65	60	55
13	2.125	64	59	54
14	2.0	63	58	53
15	1.875	62	57	52
16	1.750	61	56	51
17	1.625	60	55	50

18 SECTION 4. Chapter 32B § 2(d) shall be amended by inserting the following after the first  
19 sentence of the paragraph: “For purposes of this chapter governmental units shall designate  
20 whether employees are full-time or part time, based upon the number of hours per week the  
21 duties of the particular position require them to work.”

22 Chapter 32B § 7(a) shall be amended by striking the words “an active or retired employee” in the  
23 first sentence, and replacing them with the words “a full time employee, as designated by the  
24 governmental unit or a retired employee”.

25 Chapter 32B § 7(a) shall be further amended by inserting after the first sentence, “For part time  
26 employees, as designated by the governmental unit, who work at least twenty hours per week,  
27 regularly in the service of the governmental unit during the regular work week, the governmental  
28 unit shall contribute an amount less than fifty percent of the premium. This amount shall be  
29 proportionate to the number of hours the employee works, compared to a full time employee  
30 performing the same or similar duties, as applied to the fifty percent cost of the premium

31 contributed by the governmental unit for a full time employee. The part time employee shall  
32 contribute the remaining cost of the premium.”

33 Chapter 32B § 7(a) shall be further amended by inserting in the last sentence, immediately prior  
34 to the word “employee’s” the word “full time” and by adding, immediately after the last sentence  
35 “For part time employees the governmental unit shall contribute an amount to pay for the  
36 additional premium required for the part time employee’s dependent child who is nineteen years  
37 of age or over and mentally or physically incapable of earning his own living, a proportionate  
38 share of the cost of such additional coverage as the governmental unit pays toward the regular  
39 premium.”

40 Chapter 32B § 7A shall be amended by inserting at the end of the last sentence in the first  
41 paragraph the following “;except that for part time employees as designated by the governmental  
42 unit who work at least twenty hours per week regularly in the service of the governmental unit,  
43 such governmental unit shall contribute only that proportion of the subsidiary or additional rate  
44 as the number of hours the part time employee works, compared to a full time employee  
45 performing the same or similar duties.”

46 Chapter 3b § 16 (3) shall be amended by inserting at the end of the next to last sentence of the  
47 second paragraph the following “; and further provided that part time employees, as designated  
48 by the governmental unit who work at least twenty hours a week regularly in the service of the  
49 governmental unit may be required to pay an amount greater than fifty percent on the total  
50 monthly premium cost or rate, proportionate to the number of hours the employee works,  
51 compared to a full time employee performing the same or similar duties, as applied to percentage

52 share of the premium the governmental unit pays toward the total premium cost of employees it  
53 designates as full time.

54 SECTION 5. The provisions of Section 111F of Chapter 41 shall not apply to any municipal  
55 police officer or firefighter hired after July 1, 2011. Police officers and firefighters hired after  
56 that date shall be subject to the provisions of Chapter 152 of the Massachusetts General Laws.

57 SECTION 6. There shall be a special commission to investigate and make recommendations  
58 regarding the feasibility and utility of having public employees hired after January 1, 2012  
59 become part of the Social Security System. The commission shall consist of 9 members with 5  
60 appointed by the Governor, 2 appointed by the Senate President, and 2 appointed by the Speaker  
61 of the House. None of the members shall be a current or vested member of a Massachusetts  
62 Contributory Retirement System. The commission shall file its report and recommendations to  
63 the Governor, Senate President, and Speaker of the House no later than September 1, 2011.