

# **HOUSE . . . . . No. 3988**

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, March 27, 2014.

The committee on Labor and Workforce Development to whom were referred the petition (accompanied by bill, Senate, No. 877) of Marc R. Pacheco, Sal N. DiDomenico, Thomas M. McGee, John F. Keenan and other members of the General Court for legislation to extend safety protections to employees of the executive branch of the Commonwealth and the petition (accompanied by bill, House, No. 2460) of Martin J. Walsh and others relative to evaluating injury and illness data and establishing safety and health measures to protect employees of the Commonwealth, reports recommending that the accompanying bill (House, No. 3988) ought to pass.

For the committee,

THOMAS P. CONROY.

**HOUSE . . . . . No. 3988**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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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. Section 6 of chapter 149 of the General Laws is hereby amended by  
2 inserting after section 6 the following section:-

3           Section 6½. (a) This section shall apply to places of employment subject to section 28 of  
4 chapter 7. The department and the personnel administrator, after consulting the advisory board  
5 established by subsection (b), shall jointly adopt regulations that shall provide at least the level of  
6 protection to employees as are provided under the federal Occupational Safety and Health Act,  
7 including standards and the provisions of the General Duty clause. In the absence of a state  
8 regulation, the department shall apply the applicable provisions of that act.

9           (b) 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 board shall consist of: the secretary of labor and workforce  
14 development or designee, who shall serve as the co-chairperson; the personnel administrator or  
15 designee, who shall serve as co-chairperson; the director of the division of labor standards or  
16 designee; the secretary of administration and finance or designee; the director of the office of  
17 employee relations or designee; the commissioner of the department of public health or designee;  
18 the director of the department of industrial accidents or designee; 4 representatives from labor  
19 unions representing the employees of the commonwealth; 1 representative from a community-  
20 based health and safety advocacy organization; and 1 member of the faculty of the department of  
21 work environment at the University of Massachusetts, Lowell.

22           (c) The attorney general may bring a civil action for declaratory or injunctive relief to  
23 enforce this section.