

# HOUSE . . . . . No. 4443

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 29, 2024.

The committee on Labor and Workforce Development, to whom were referred the petition (accompanied by bill, Senate, No. 1182) of Barry R. Finegold for legislation to clarify the process for paying the wages of dismissed employees, and the petition (accompanied by bill, House, No. 1944) of Jeffrey N. Roy relative to clarifying the process for paying the wages of dismissed employees, reports recommending that the accompanying bill (House, No. 4443) ought to pass.

For the committee,

KIP A. DIGGS.

**HOUSE . . . . . No. 4443**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act clarifying the process for paying the wages of dismissed employees.

*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 150 of chapter 149 of the General Laws is hereby amended by  
2 inserting after the word “him”, in the second sentence, the following:-

3           “or the payment of demanded wages pursuant to section 204 of this chapter,”

4           SECTION 2. Chapter 149 of the General Laws is hereby amended by inserting after  
5 section 203 the following section:-

6           Section 204. Right to Cure

7           (a) After termination of a person’s employment, claims that are brought to recover unpaid  
8 employment-based compensation resulting from a violation of sections 33E, 52E, 148, 148A,  
9 148B, 148C, 150C, 152, 152A, 159C or 190 or section 19 of chapter 15 and that seek treble  
10 damages under section 150 of chapter 149 shall be preceded by a written demand for relief to the  
11 employer specifying those sums due and the reasons therefor. Upon receipt of such a demand for  
12 relief, the employer shall have fifteen business days to cure any asserted deficiency by making

13 payment in full to the aggrieved claimant. The employer shall have no liability for attorneys' fees  
14 or for treble damages under section 150 of chapter 149 should the employer cure the violation by  
15 paying, within fifteen days of receiving the written demand, any deficiency in such  
16 compensation payments: (i) that are indisputably due; or (ii) upon a showing that the violation  
17 was the result of a good faith miscalculation, error or reliance on erroneous information from a  
18 third party.

19 (b) In any action that is brought to recover unpaid employment-based compensation  
20 resulting from a violation of sections 33E, 52E, 148, 148A, 148B, 148C, 150C, 152, 152A, 159C  
21 or 190 of this chapter or section 19 of chapter 151 and that seeks treble damages under section  
22 150 of this chapter, if the employer shows to the satisfaction of the court that the employer's act  
23 or omission giving rise to such action was in good faith, and that the employer had reasonable  
24 grounds for believing that its act or omission was not a violation of such laws, the court may, in  
25 its sound discretion, award single, double or treble damages.