

# **HOUSE . . . . . No. 5123**

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, November 10, 2020.

The committee on Labor and Workforce Development, to whom were referred the petition (accompanied by bill, House, No. 1591) of Arlyn Singletary relative to protections in hiring processes for individuals who suffer miscarriages; the petition (accompanied by bill, House, No. 1592) of Christine Dumouchel relative to the definition of employment for unemployment insurance; the petition (accompanied by bill, House, No. 1593) of Antonio F. D. Cabral, Angelo M. Scaccia and others relative to time and a half wages on Sundays; the petition (accompanied by bill, House, No. 1594) of Gerard J. Cassidy and others for legislation to exempt certain community-based human services organizations from the employer medical assistance contribution; the petition (accompanied by bill, House, No. 1595) of Tackey Chan relative to binding arbitration for public employee collective bargaining proceedings; the petition (accompanied by bill, House, No. 1597) of Tackey Chan relative to collective bargaining rights; the petition (accompanied by bill, House, No. 1602) of Mike Connolly and others for legislation to repeal the prohibition on striking by public employees and public employee organizations; the petition (accompanied by bill, House, No. 1603) of Edward F. Coppinger and Paul F. Tucker for an investigation by a special commission (including members of the General Court) relative to developing a youth apprenticeship program to expand pre-apprenticeship opportunities and training to secondary education students; the petition (accompanied by bill, House, No. 1607) of Vincent Lawrence Dixon relative to providing for hourly employee portable health care insurance earnings; the petition (accompanied by bill, House, No. 1611) of Shawn Dooley and Michael J. Soter relative to the payment of wages to terminated employees; the petition (accompanied by bill, House, No. 1612) of Shawn Dooley, Michael J. Soter and Timothy R. Whelan relative to the payment of wages for persons under 18 years of age who work less than 20 per week; the petition (accompanied by bill, House, No. 1615) of Michelle M. DuBois and Michael D. Brady relative to non-disclosure agreements relating to a claim of discrimination, non-payment of wages or benefits, retaliation, harassment or violation of public policy in employment; the petition (accompanied by bill, House, No. 1622) of Colleen M. Garry, Michael J. Soter and Anne M. Gobi relative to child labor laws; the petition (accompanied by bill, House, No. 1623) of Carmine Lawrence Gentile and Alice Hanlon Peisch (by vote of the town) relative to prevailing wages for certain affordable housing projects in the town of Wayland; the petition (accompanied by bill,

House, No. 1626) of Kenneth I. Gordon and others relative to unemployment benefits for certain furloughed federal employees; the petition (accompanied by bill, House, No. 1629) of Kenneth I. Gordon and others for legislation to protect unemployment benefits for furloughed federal employees; the joint petition (accompanied by bill, House, No. 1632) of Tami L. Gouveia, James B. Eldridge and others that the Department of Housing and Community Development establish a pilot program to demonstrate the individual, family, and community economic impacts and state-level cost savings of a universal basic income; the petition (accompanied by bill, House, No. 1637) of Bradford Hill and others relative to minor minimum wage; the petition (accompanied by bill, House, No. 1640) of Daniel J. Hunt and Daniel R. Cullinane for legislation to require certain notices prior to plant closings or layoffs; the petition (accompanied by bill, House, No. 1641) of Bradley H. Jones, Jr., and others relative to the definition of an employee under the labor laws for certain persons performing services; the petition (accompanied by bill, House, No. 1642) of Bradley H. Jones, Jr., and others for an investigation by a special task force (including members of the General Court) relative to the economic impact of sales commission rate structures to ensure fairness, transparency, and equality in payments to commissioned workers in the Commonwealth; the petition (accompanied by bill, House, No. 1643) of Bradley H. Jones, Jr., and others relative to unemployment insurance benefits for certain business owners who intentionally and knowingly close their business with deliberate intent on reopening; the petition (accompanied by bill, House, No. 1644) of Bradley H. Jones, Jr., and others for legislation to include intoxication and unlawful use of controlled substances as willful misconduct by employees applying for workers' compensation benefits; the petition (accompanied by bill, House, No. 1645) of Bradley H. Jones, Jr., and others relative to independent contractors; the petition (accompanied by bill, House, No. 1646) of Bradley H. Jones, Jr., and others relative to establishing willingness to work requirements for eligibility of unemployment benefits; the petition (accompanied by bill, House, No. 1647) of Bradley H. Jones, Jr., Bradford Hill and others relative to repealing the employer medical assistance contribution; the petition (accompanied by bill, House, No. 1648) of Bradley H. Jones, Jr., and others for legislation to repeal the recent extension of unemployment insurance benefits to locked-out workers at electric and gas companies; the petition (accompanied by bill, House, No. 1649) of Bradley H. Jones, Jr., and others relative to the definition of independent contractors deemed employees; the petition (accompanied by bill, House, No. 1650) of Patrick Joseph Kearney and others that the salaries of members of the United States Coast Guard who are residents of the Commonwealth be paid by the Commonwealth during the so-called federal government shut-down; the petition (accompanied by bill, House, No. 1655) of David Paul Linsky and Sarah K. Peake relative to wage rates for workers on certain low and moderate income housing construction projects; the petition (accompanied by bill, House, No. 1663) of Joseph D. McKenna and others for legislation to further regulate earned sick time; the petition (accompanied by bill, House, No. 1664) of Joseph D. McKenna for

legislation to provide treble damages to employees for employer violations of certain labor laws; the petition (accompanied by bill, House, No. 1666) of Lenny Mirra and others for legislation to provide for increased transparency in the prevailing wage rates; the petition (accompanied by bill, House, No. 1667) of Lenny Mirra and others relative to setting the prevailing wage rates; the petition (accompanied by bill, House, No. 1671) of Shaunna L. O'Connell and others relative to wages paid to persons under eighteen years of age; the petition (accompanied by bill, House, No. 1672) of Shaunna L. O'Connell relative to individual or business entities who contract to perform work or provide services for the benefit of others; the petition (accompanied by bill, House, No. 1673) of Shaunna L. O'Connell relative to services performed outside the usual course of the business of the employer; the petition (accompanied by bill, House, No. 1675) of Sarah K. Peake, Julian Cyr and Stephan Hay (by vote of the town) that the restoration of the Old Firehouse in the town of Orleans be exempt from certain provisions of the prevailing wage laws; the petition (accompanied by bill, House, No. 1676) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Chatham be exempt from complying with certain labor law requirements; the petition (accompanied by bill, House, No. 1679) of David Allen Robertson, Peter Capano and Stephan Hay relative to the confidentiality of communications of information of labor organizations; the petition (accompanied by bill, House, No. 1682) of Jeffrey N. Roy relative to the independent contractor statute; the petition (accompanied by bill, House, No. 1685) of Lindsay N. Sabadosa and others relative to wrongful discharge from employment; the petition (accompanied by bill, House, No. 1688) of José F. Tosado, Carlos Gonzalez and Bud L. Williams relative to supplemental services provided by employee organizations; the petition (accompanied by bill, House, No. 1690) of Aaron Vega (with the approval of the mayor and city council) relative to prevailing wages in the city of Holyoke; the petition (accompanied by bill, House, No. 1692) of RoseLee Vincent relative to compensation of certain employees on holidays; the petition (accompanied by bill, House, No. 1693) of Jonathan D. Zlotnik relative to employee reference liability; the petition (accompanied by bill, House, No. 1695) of Jonathan D. Zlotnik relative to the payment of wages; the petition (accompanied by bill, House, No. 1696) of Jonathan D. Zlotnik relative to personnel record notifications; and the petition (accompanied by bill, House, No. 3610) of Shawn Dooley and Michael J. Soter for legislation to establish training wages, reports recommending that the accompanying order (House, No. 5123) ought to be adopted. [Representative Crocker of Barnstable dissents].

For the committee,

STEPHAN HAY.

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*House of Representatives,*

1           *Ordered,* That the committee on Labor and Workforce Development be authorized to sit  
2 during a recess of the General Court to make an investigation and study of House documents  
3 numbered 1591, 1592, 1593, 1594, 1595, 1597, 1602, 1603, 1607, 1611, 1612, 1615, 1622, 1623,  
4 1626, 1629, 1632, 1637, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650,  
5 1655, 1663, 1664, 1666, 1667, 1671, 1672, 1673, 1675, 1676, 1679, 1682, 1685, 1688, 1690,  
6 1692, 1693, 1695, 1696 and 3610, relative to contracts and employment.

7           Said committee shall report to the General Court the results of its investigation and study  
8 and its recommendations, if any, together with drafts of legislation necessary to carry such  
9 recommendations into effect, by filing the same with the Clerk of the House of Representatives  
10 on or before December 31, 2020.