

SENATE No. 1810

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

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 relative to employment of persons with disabilities on state contracts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Nick Collins</i>	<i>First Suffolk</i>	
<i>Michael J. Moran</i>	<i>18th Suffolk</i>	<i>1/22/2019</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>1/22/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/22/2019</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/23/2019</i>
<i>Edward F. Coppingier</i>	<i>10th Suffolk</i>	<i>1/23/2019</i>
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>1/23/2019</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/28/2019</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>1/28/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/28/2019</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/28/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/28/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>1/29/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/30/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/30/2019</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/30/2019</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>1/30/2019</i>

<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/30/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/30/2019</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>1/31/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/31/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/31/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/31/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/31/2019</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>1/31/2019</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>2/1/2019</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>2/1/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/4/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/4/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/11/2019</i>

SENATE No. 1810

By Mr. Collins, a petition (accompanied by bill, Senate, No. 1810) of Nick Collins, Michael J. Moran, Joan B. Lovely, Paul R. Feeney and other members of the General Court for legislation relative to employment of persons with disabilities on state contracts. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to employment of persons with disabilities on state contracts.

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. Chapter 7 of the Massachusetts General Laws is hereby amended by placing
2 after Section 38P the following:

3 SECTION 38Q. (a) Any contract issued for services in the Commonwealth of
4 Massachusetts or any political subdivision there-in that receives appropriated funds from the
5 legislature of the Commonwealth of Massachusetts shall employ up to 10% of individuals hired
6 within that contract be individuals with disabilities. Notwithstanding any general or special law
7 to the contract, the Supplier Diversity Office in consultation with the Massachusetts Office on
8 Disability, the Massachusetts Commission for the Blind and the Massachusetts Rehabilitation
9 Commission shall implement and regulate said law.

10 (b) Such services shall include but not be limited to janitorial and custodial services,
11 landscaping services, mailroom services, food services, fleet management, manufacturing, trash

12 removal, document destruction, electronic scanning of documents, and facility management
13 services including but not limited to HVAC Services, Painting, Emergency Repair Series, and
14 Snow Removal.

15 (c) For the purpose of this act, an individual with a disability will be defined as; someone
16 (i) who has a severe physical or mental impairment which seriously limits one or more functional
17 capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work
18 tolerance, or work skills) in terms of an employment outcome; (ii) someone whose vocational
19 rehabilitation can be expected to require multiple vocational rehabilitation services over an
20 extended period of time; (iii) someone who has one or more physical or mental disabilities
21 resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic
22 fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary
23 dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-
24 skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia,
25 quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability,
26 end-stage renal disease, or another disability or combination of disabilities determined on the
27 basis of an assessment for determining eligibility and vocational rehabilitation to cause
28 comparable substantial functional limitation.

29 (d) The percentage requirements shall be met within one year of award of such contract,
30 and steps shall be taken to minimize the displacement of any workers already providing the
31 services covered by such contract.

32 (e) The percentage requirement laid out in this section shall be phased into effect as
33 follows:

- 34 January 1, 2021, at least 2%
- 35 January 1, 2022, at least 4%
- 36 January 1, 2023, at least 6%
- 37 January 1, 2024, at least 8%
- 38 January 1, 2025, at least 10%