SENATE No. 188

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda

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 establishing a manicurist industry minimum standards advisory board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Liz Miranda	Second Suffolk	
Jason M. Lewis	Fifth Middlesex	2/14/2023
James B. Eldridge	Middlesex and Worcester	2/21/2023

SENATE No. 188

By Ms. Miranda, a petition (accompanied by bill, Senate, No. 188) of Liz Miranda, Jason M. Lewis and James B. Eldridge for legislation to establish a manicurist industry minimum standards advisory board. Consumer Protection and Professional Licensure.

The Commonwealth of Alassachusetts

In the One Hundred and Ninety-Third General Court (2023-2024)

An Act establishing a manicurist industry minimum standards advisory board.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- SECTION 1. There shall be a Manicurist Industry Minimum Standards Advisory Board to study and make recommendations to the senate and house of representatives, the division of occupational licensure, and the executive office of labor and workforce development regarding establishing industry-wide minimum standards on wages, benefits, working hours, training, and
- 5 working conditions affecting the health, safety, and employment of workers in nail salons, also
- 6 known as Manicurist salons as defined in G.L. Ch. 112, Section 87T.
- 7 SECTION 2. The advisory board shall consist of fifteen members:
- 8 3 persons who shall serve in an ex officio capacity, 1 of whom is the secretary of the executive office of workforce and development, or their designee, and who shall serve as chair, 1 9 person of whom is the commissioner of the division of occupational licensure, or their designee,
- 10
- 11 and 1 person of whom is the executive director of the Vietnamese American Initiative for
- 12 Development, or their designee.

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5 persons to be appointed by the governor, 1 person of whom shall be an expert in occupational safety and health, 1 person of whom shall be an expert in economic development strategies for under-resourced businesses or small business support development, and 3 of whom are owners of licensed shops as defined in G.L. Ch. 112, Section 87AA and none of whom was cited for violation of state or federal wage and hour laws in the 2 years prior to appointment, of which 1 of whom must be certified as a disadvantaged business enterprise at the time of appointment and 1 of whom employs 5 or fewer employees within the commonwealth, 1 of whom employs 25 or fewer employees, and 1 of whom employs fewer than 150 employees within the commonwealth;

7 persons to be appointed by the attorney general, 1 of whom is an expert in economic research in the manicurist industry or similar low-wage service industry, 1 of whom with a background in representing or organizing workers in workforce development, labor relations and rights, or a community support organization serving low-wage workers in the manicurist industry, 1 of whom with a background in training or supporting the workforce development of manicurists, 1 person of whom shall be an expert in women-owned, minority businesses, and 3 of whom are employed and licensed as manicurists at the time of their appointment and reflect the demographic and geographic background of manicurist workers in the commonwealth, and who have at least 2 years of relevant experience, provided, however, that no more than 2 are employed or living in the city of Boston at the time of their appointment..

SECTION 3. The board shall monitor, recommend, give testimony, and report on assessment of fair living wages and gratuities, benefits, training, and improvement of workplace conditions and safety in the Manicurist industry, except for the adjudication of particular claims or complaints. Its powers include the issuance of reports, recommendations for legislation and

policies, regulations, and programs, the conducting of research, and the collecting of data from public and private sources.

Initial recommendations to the senate and house of representatives, the division of occupational licensure, and the executive office of labor and workforce development shall be submitted by the board to the clerk of the senate and the clerk of the house not more than eighteen months from the effective date of this act.

SECTION 4. Appointed members of the board shall serve for terms of 2 years and may be reappointed to one additional term. Members of the board shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their official duties. Members of the board shall not be state employees under chapter 268A by virtue of their service on the board. To take action at a meeting, a majority of the members of the board present and voting shall constitute a quorum. The chair shall not vote on matters unless in the case of tie among voting members.

SECTION 5. The chair shall appoint subcommittees in order to expedite the work of the board; provided, however, that the chair shall appoint: (i) a subcommittee on health and safety to develop recommendations on workplace safety, anti-hate initiatives, access to protective equipment, and training, (ii) a subcommittee on the nail industry workforce to develop recommendations on fair wages, minimum pricing, and sustainability in the industry and (iii) a subcommittee on the nail salon industry to develop recommendations on promoting women and minority-owned businesses.