

**SENATE . . . . . No. 47**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Linda Dorcena Forry***

*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 fair pay for comparable work.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>	
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	<i>2/2/2017</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>	<i>2/1/2017</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>2/1/2017</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	<i>2/2/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/3/2017</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/3/2017</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/3/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/3/2017</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/8/2017</i>

**SENATE . . . . . No. 47**

By Ms. Forry, a petition (accompanied by bill, Senate, No. 47) of Linda Dorcena Forry, Michael J. Rodrigues, Jose F. Tosado, Diana DiZoglio and other members of the General Court for legislation relative to fair pay for comparable work. Children, Families and Persons with Disabilities.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to fair pay for comparable work.

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

1           SECTOION 1: Notwithstanding any General or Special Law to the contrary; Chapter 6A  
2 of the General Laws is herby amended by adding the following sections:

3           Section 1 Definitions:

4           (a) “human service provider” means a community-based human services organization  
5 with a human services program funded by the Executive Office of Health and Human Services,  
6 the Executive Office of Elder Affairs, the Department of Housing and Community Development  
7 or the Department of Early Education and Care.

8           (b) “human services worker” means an employee of a human service provider who  
9 provides treatment, support or services to clients and/or their families

10           (c) “disparity amount” means the monetary calculation of the average difference in salary  
11 between human service workers and direct support workers or other

12 comparable employees employed by the Commonwealth's state operated programs for  
13 human services.

14 (d) "rate" means the reimbursement rate paid by the Executive Office of Health and  
15 Human Services, the Executive Office of Elder Affairs, the Department of Housing and  
16 Community Development or the Department of Early Education and Care to a human service  
17 provider to deliver services to clients on the state's behalf.

18 Section 2:

19 The Executive Office of Health and Human Services, the Executive Office of Elder  
20 Affairs, the Department of Housing and Community Development or the Department of Early  
21 Education and Care shall reimburse human services providers as provided in this section.

22 (1) The rate of reimbursement for human services providers shall be increased by an  
23 amount that:

24 (a) Reduces the disparity amount to 50 percent on or before July 1, 2019.

25 (b) Reduces the disparity amount to 35 percent on or before July 1, 2020.

26 (c) Reduces the disparity amount to 20 percent on or before July 1, 2021.

27 (d) Reduces the disparity amount to 5 percent on or before July 1, 2022.

28 (e) Eliminates the disparity amount on or before July 1, 2023.

29 (2) All increases in the rate of reimbursement provided for in this section shall be used to  
30 increase the compensation of human services workers.

31 (3) On or before July 1, 2018, the Executive Office of Health and Human Services, the  
32 Executive Office of Administration and Finance, the Executive Office of Elder Affairs, the  
33 Department of Housing and Community Development and the Department of Early Education  
34 and Care – working with representatives from the Massachusetts Council of Human Service  
35 Providers, Inc. – shall report to the Senate Committee on Ways and Means, the House  
36 Committee on Ways and Means, the Joint Committee on Children, Families and Persons with  
37 Disabilities, the Joint Committee on Elder Affairs, the Joint Committee on Health Care  
38 Financing, the Joint Committee on Mental Health and Substance Abuse, the Joint Committee on  
39 Public Health and the Joint Committee on State Administration and Regulatory Oversight their  
40 determination of:

41 (a) The disparity amount between the salaries of human services workers employed by  
42 human service providers and state employees holding similar job titles and/or state employees  
43 who provide similar services to clients;

44 (b) The amount of annual increases in the rate of reimbursement to human service  
45 providers necessary to reduce and eliminate the disparity amount by July 1, 2023.

46 (4) On or before January 1, 2018, the Executive Office of Health and Human Services,  
47 the Executive Office of Administration and Finance, the Executive Office of Elder Affairs, the  
48 Department of Housing and Community Development and the Department of Early Education  
49 and Care – working with representatives from the Massachusetts Council of Human Service  
50 Providers, Inc. – shall report to the Senate Committee on Ways and Means and the House  
51 Committee on Ways and Means recommendations to strengthen recruitment and retention of

52 human services workers employed by human services providers that have contracts with the  
53 state.

54 (5) The Executive Office of Health and Human Services, the Executive Office of  
55 Administration and Finance, the Executive Office of Elder Affairs, the Department of Housing  
56 and

57 Community Development and the Department of Early Education and Care shall adopt  
58 regulations to implement this section.

59 (6) Nothing in this section shall be construed to prohibit the elimination of the disparity  
60 amount prior to July 1, 2023.