

HOUSE No. 448

By Mr. Miller of Boston (by request), petition of the Massachusetts C. I. O. for legislation to regulate advertisements for employment containing restrictions and discriminations as to race, color or creed. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

AN ACT TO REGULATE ADVERTISEMENTS FOR EMPLOYMENT CONTAINING THEREIN RESTRICTIONS AND DISCRIMINATIONS AS TO RACE, CREED OR COLOR.

1 *Whereas*, The deferred operation of this act would
2 defeat its purpose and would cause substantial injury
3 to the public welfare and would hamper production of
4 necessary goods by disturbing the employment situa-
5 tion, therefore it is hereby declared to be an emer-
6 gency law, necessary for the immediate preservation of
7 public convenience.

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

1 Chapter one hundred and forty-nine of the General
2 Laws is hereby amended by inserting after section
3 twenty-one of said chapter the following new sec-
4 tion: —

5 *Section 21A.* It shall be unlawful for any person,
6 firm or corporation or any person in behalf of or act-

7 ing for any person, firm or corporation, or any person,
8 firm or corporation doing business as an employment
9 agency, to print, publish or insert or cause to be
10 printed, published or inserted in any newspaper,
11 magazine or other publication any notice or advertise-
12 ment for help or for obtaining work or offering employ-
13 ment, which said notice or advertisement restricts
14 the request for help or work or the offer of employment
15 to a person or persons of a particular race, creed or
16 color or excludes therefrom a person or persons of a
17 particular race, creed or color, unless the employer
18 of such person or persons shall have specified in writ-
19 ing, signed by him and delivered to the said newspaper,
20 magazine or other publication, or to the said employ-
21 ment agency, such limitations and restrictions with
22 respect to race, creed or color as herein set forth and
23 unless such notice or advertisement shall also state the
24 name and address of the prospective employer.

25 Copies of the said specifications in writing shall be
26 mailed by the prospective employer or the employ-
27 ment agency, postage prepaid, to the department of
28 labor and industries on or before the day of the first
29 publication of said advertisement or notice. Copies
30 of the said specifications in writing shall be kept on
31 file for one year from the date of the first publication
32 by the employer and by the employment agency, if
33 such be the case, and shall be submitted on demand to
34 the commissioner of labor and industries or to his
35 duly authorized representative for examination.

36 Any violation of any of the provisions of this section
37 shall be punished by a fine of not less than three hun-
38 dred or more than one thousand dollars or by im-
39 prisonment for not less than two or not more than
40 six months, or both.