

HOUSE No. 2774

House No. 2754, as amended and passed to be engrossed by the House. August 22.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A MINIMUM WAGE FOR CERTAIN EMPLOYEES WITHIN THE COMMONWEALTH.

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. Section 1 of chapter 151 of the Gen-
2 eral Laws, as appearing in section 1 of chapter 432 of
3 the acts of 1947, is hereby amended by adding at the
4 end the following sentence:— A wage of less than
5 sixty-five cents per hour in any occupation, except as
6 otherwise exempted under this chapter, for services
7 as a caddy, or a wage of less than twenty-six dollars
8 per week for an employee employed as a janitor of
9 residential or business property and provided with
10 living quarters, shall be conclusively presumed to be
11 oppressive and unreasonable, unless the commission
12 has expressly approved the establishment and pay-
13 ment of a lesser wage under the provisions of section
14 nine, or unless the employee is under eighteen years
15 of age or is employed in a business which operates on
16 a basis determined by the commissioner to be a “sea-

17 sonal" hotel business, or is employed on work in the
18 performance of which, as determined by the commis-
19 sioner, he customarily receives gratuities; but in cal-
20 culating the amount of compensation paid to any per-
21 son, the fair and reasonable value of shelter, food,
22 uniforms and other accommodations furnished to him
23 by his employer shall be considered.

1 SECTION 2. No wage rate in effect immediately
2 prior to the effective date of this act shall be reduced
3 because of the passage of this act.

1 SECTION 3. Section 19, of chapter 151 of the Gen-
2 eral Laws, as appearing in section 1 of chapter 432 of
3 the acts of 1947, is hereby amended by striking out
4 paragraph (2) thereof, and by substituting in place
5 thereof the following new paragraph:—

6 (2) Any employer or the officer or agent of any
7 corporation who pays or agrees to pay to any employee
8 less than the rates applicable to such employee under
9 a mandatory minimum fair wage order, or who pays
10 or agrees to pay to any employee less than sixty-five
11 cents per hour in any occupation covered by this
12 chapter, shall be punished by a fine of not less than
13 fifty nor more than two hundred dollars or by im-
14 prisonment for not less than ten nor more than ninety
15 days, or by both such fine and imprisonment, and
16 each week in any day of which such employee is paid
17 less than the rate applicable to him under a manda-
18 tory minimum fair wage order, and each employee
19 so paid less, shall constitute a separate offence.

1 SECTION 4. This act shall take effect on January
2 first, nineteen hundred and fifty.