

HOUSE No. 297

By Mr. Dolan of Ipswich, petition of John F. Dolan for legislation to provide further eligibility to receive benefits under the Employment Security Law where stoppage of work is caused by a labor dispute. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT TO PROVIDE AN ELIGIBILITY TO RECEIVE BENEFITS UNDER THE MASSACHUSETTS EMPLOYMENT SECURITY ACT.

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

1 Subsection (b) of section 25 of chapter 151A of the General
2 Laws is hereby amended by striking out said subsection (b) of
3 section 25 and inserting in place thereof a new subsection (b) as
4 follows:—

5 (b) Any week with respect to which the director finds that
6 his unemployment is due to a stoppage of work which exists
7 because of a strike at the factory, establishment or other premises
8 at which he was last employed; provided, that after four weeks
9 of such unemployment he shall, if otherwise eligible, be entitled
10 to receive benefits; and provided, further, that this subsection
11 shall not apply if it is shown to the satisfaction of the director
12 that—

13 (1) He is not directly or actively participating in or financing
14 or directly interested in the strike which caused the stoppage
15 of work; and that

16 (2) He does not belong to a grade or class of workers of
17 which, immediately before the commencement of the stoppage,
18 there were members employed at the premises at which the
19 stoppage occurs, any of whom are participating in or financing

20 or directly interested in the strike; provided, that if, in any
21 case, separate branches of work which are commonly conducted
22 as separate businesses in separate premises are conducted in
23 separate departments of the same premises, each such depart-
24 ment may, for the purposes of this subsection, be deemed a
25 separate factory, establishment or other business.

26 (3) For the purposes of this chapter, the payment of regular
27 union dues or assessments shall not be construed as participating
28 in or financing or being directly interested in a strike.

29 (4) The individual has, subsequent to his unemployment
30 because of a strike, obtained employment, and has been paid
31 wages of not less than five hundred dollars; provided, however,
32 that during the existence of such strike the wages of such in-
33 dividual used for the determination of his benefit rights shall
34 not include any wages such individual earned from the employer
35 involved in such strike.