

SENATE No. 56

To accompany the petition of P. Eugene Casey that the hours of labor of certain employees of penal and other institutions in the Commonwealth be further regulated. Public Service.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE HOURS OF LABOR OF CERTAIN EMPLOYEES IN 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 thirty-nine of chapter one hundred
2 and forty-nine of the General Laws, as most
3 recently amended by section one of chapter four
4 hundred and forty-four of the acts of nineteen
5 hundred and thirty-five, is hereby further
6 amended by inserting after the word "week" in
7 the sixth line the words: — nor more than eight
8 in any one day, and shall be so arranged by the
9 head of the institution that said daily labor shall
10 be performed within twelve consecutive hours, —
11 so as to read as follows: — *Section 39.* The
12 hours of labor of laborers, workmen and me-
13 chanics, of ward attendants, ward nurses, indus-
14 trial and occupational therapists and watchmen,

15 and of employees in the kitchen, dining-room and
16 domestic services, in state institutions, and of
17 officers and instructors of state penal institutions,
18 shall not exceed forty-eight in each week nor
19 more than eight in any one day, and shall be so
20 arranged by the head of the institution that said
21 daily labor shall be performed within twelve
22 consecutive hours. Any person whose hours of
23 labor are regulated by this section and whose
24 presence is required at any such institution seven
25 days a week shall be given at least four days off
26 in each month, without loss of pay, in addition
27 to the regular annual vacation. The words
28 "hours of labor" as used in this section shall not
29 be deemed to include any period of time during
30 which a person is in his living quarters wherever
31 located although his presence there is required
32 for the purpose of exercising a measure of super-
33 vision over patients or inmates through avail-
34 ability for duty during such time. This section
35 shall not prevent the superintendent, warden, or
36 executive officer from requiring the services of any
37 person in any emergency where the health or
38 safety of patients or inmates would otherwise be
39 endangered, or in any extraordinary emergency,
40 or in apprehending an escaped inmate, nor shall
41 it apply to the hours of labor of any person whose
42 position entitles him to family maintenance as a
43 part of his compensation.