

HOUSE No. 419

By Mr. Reilly of Boston, petition of Francis M. Cahill for the continued employment by towns abandoning their water department facilities of certain employees not eligible for transfer to the service of the metropolitan water district commission. Civil Service.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE CONTINUED EMPLOYMENT BY TOWNS ABANDONING THEIR WATER DEPARTMENT FACILITIES OF CERTAIN EMPLOYEES NOT ELIGIBLE FOR TRANSFER TO THE SERVICE OF THE METROPOLITAN WATER DISTRICT COMMISSION.

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 ten of chapter ninety-two of the General
2 Laws, as most recently amended by section one of
3 chapter five hundred and eighty-seven of the acts of
4 nineteen hundred and forty-five, is hereby further
5 amended by inserting after the word "days" in the
6 twenty-ninth line of paragraph (10) thereof, the fol-
7 lowing sentence:— Any other employee of the water
8 department of such town who, upon such abandon-
9 ment, shall hold a grade or classification under chap-
10 ter thirty-one higher than that of skilled laborer,
11 shall, if he so requests within thirty days after such

12 abandonment, be retained as an employee of such
13 water department in a grade or classification not lower
14 than that of skilled laborer, — so that said paragraph
15 (10) will read as follows: — (10) Any employee of the
16 water department of a town the facilities of which will
17 be abandoned as provided in this section when the
18 commission commences to supply water to such town,
19 and who, immediately prior to such abandonment, is
20 on duty at a reservoir, filter plant, pumping station or
21 other works which will be abandoned when no longer
22 needed, shall, upon such abandonment, and upon his
23 request, be transferred to the service of the commission
24 at a rate of compensation not less than he received from
25 such town. Any employee so transferring shall serve
26 in the commission in a locality as near as possible to the
27 town by which he was formerly employed and without
28 impairment of his civil service status, if any, and shall
29 retain all his rights, if any, under chapter thirty-one,
30 and, if a member of any retirement system of his
31 town, shall be transferred to the retirement system of
32 the commonwealth with the right to a retirement al-
33 lowance based on his full service in the systems of such
34 town and of the commonwealth and the full amount
35 of his accumulated deductions, plus regular interest,
36 shall be transferred to the retirement system of the
37 commonwealth. If any such employee, except an em-
38 ployee who is unable to perform the duties of his office
39 or position because of service in the military or naval
40 forces of the United States, shall refuse, or neglect,
41 within thirty days after his right to transfer under this
42 paragraph accrues, to transfer to the service of the
43 commission he shall thereupon be retired by the town
44 by which he is employed with the same rights and al-
45 lowances as if he had voluntarily retired at the ex-

46 piration of such thirty days. Any other employee of
47 the water department of such town who, upon such
48 abandonment, shall hold a grade or classification under
49 chapter thirty-one higher than that of skilled laborer,
50 shall, if he so requests within thirty days after such
51 abandonment, be retained as an employee of such
52 water department in a grade or classification not lower
53 than that of skilled laborer. The head of the town de-
54 partment abandoning its service as hereinbefore pro-
55 vided shall, before such abandonment, give notice in
56 writing of the proposal to abandon, and of his rights
57 provided hereunder, to each employee of the depart-
58 ment the facilities of which are to be so abandoned.

