

# HOUSE . . . . No. 955

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By Mr. Baxter of Medford (by request), petition of the Federation of State, City and Town Employees relative to annual vacations for employees of certain cities and towns. Public Service.

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## The Commonwealth of Massachusetts

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

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### AN ACT RELATIVE TO ANNUAL VACATIONS FOR CERTAIN EMPLOYEES OF CERTAIN CITIES AND TOWNS.

*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 41 of the General Laws is hereby amended  
2 by striking out section 111, as most recently amended  
3 by chapter 301 of the acts of 1946, and inserting in  
4 place thereof the following:—

5 *Section 111.* In any city or town which has ac-  
6 cepted chapter two hundred and seventeen of the  
7 acts of nineteen hundred and fourteen or has ac-  
8 cepted this section in any form, or which accepts  
9 this section in the manner hereinafter provided, or  
10 has accepted earlier provisions of this section, all  
11 regular employees of such city or town, and tem-  
12 porary employees who have completed one year of  
13 continuous service shall be granted a vacation with  
14 pay not to exceed the following:—

15 For less than nine months' service, vacation allow-  
16 ance of one day for each month employed.

17 For nine months' service, but less than five years'  
18 service, vacation allowance of two weeks.

19 For five years' service, but less than ten years'  
20 service, vacation allowance of three weeks.

21 For ten years' service or more, vacation allowance  
22 of four weeks.

23 Such vacations shall be granted by the heads of the  
24 respective departments of the city or town at such  
25 time as in their opinion will cause the least inter-  
26 ference with the performance of the regular work  
27 of the city or town. A person shall be deemed to be  
28 regularly employed, within the meaning of this  
29 section, if he has actually worked for the city or  
30 town for twenty-six weeks in the aggregate during  
31 the preceding calendar year. Any such person who  
32 has actually worked for such a city or town for twenty-  
33 six weeks in the aggregate during the preceding  
34 calendar year and whose employment is terminated  
35 without his having been granted the vacation based  
36 thereon to which he would otherwise be entitled  
37 under this section shall be paid an amount equal to  
38 wages for a period equal to that of the ungranted  
39 vacation at the rate at which he was entitled to  
40 be compensated for the equivalent period imme-  
41 diately preceding the termination of his employ-  
42 ment; and in such case the official head of the depart-  
43 ment in which he was last employed shall enter such  
44 amount on the departmental pay roll. Any official  
45 of a city or town whose duty it is to grant a vacation  
46 as provided by this section who wilfully refuses to  
47 grant the same or to make such entry on the depart-  
48 mental pay roll shall be punished by a fine of not  
49 more than one hundred dollars. The department  
50 of labor and industries shall enforce this section,  
51 and shall have all necessary powers therefor.

52 If a petition requesting that the question of ac-  
53 ceptance of this section be submitted to the registered  
54 voters of any city or town not already subject to  
55 this section, signed by registered voters thereof equal  
56 in number to at least one per cent of the whole number  
57 of registered voters thereof, is filed with the city or  
58 town clerk not less than sixty days before a biennial  
59 state election, said city or town clerk shall immedi-  
60 ately transmit said petition to the state secretary, who  
61 shall cause to be placed upon the official ballot to  
62 be used in said city or town at said state election the  
63 following question: "Shall section one hundred and  
64 eleven of chapter forty-one of the General Laws pro-  
65 viding for vacations for certain municipal employees,  
66 be accepted?" If a majority of the registered voters  
67 of such city or town voting thereon vote in the affirma-  
68 tive in answer to said question, said section shall be  
69 applicable in such city or town from and after the  
70 beginning of the next municipal year.

