

HOUSE No. 1862

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 17, 1947.

The committee on Public Service, to whom were referred the petition (accompanied by bill, House, No. 405) of Clarence F. Telford and Charles Olson relative to the employment of persons in the construction, addition to or alteration of public works, and the petition (accompanied by bill, House, No. 542) of the Massachusetts Selectmens Association, Roy C. Smith and George L. Barrus relative to the employment of mechanics, teamsters, chauffeurs and laborers in the construction of public works by the Commonwealth or by a county, town or district, report the accompanying bill (House, No. 1862).

For the committee,

HENRY L. SHATTUCK.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE EMPLOYMENT OF MECHANICS,
TEAMSTERS, CHAUFFEURS AND LABORERS IN THE CON-
STRUCTION OF PUBLIC WORKS BY THE COMMONWEALTH
OR BY A COUNTY, TOWN OR DISTRICT.

*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 26 of chapter 149 of the General Laws, as
2 most recently amended by section 46 of chapter 591
3 of the acts of 1946, is hereby further amended by
4 striking out the next to the last sentence of the first
5 paragraph, as appearing in the Tercentenary Edition,
6 and inserting in place thereof the following sentence:
7 — This section shall also apply to regular employees
8 of the commonwealth or of a county, town or district,
9 when such employees are employed in the construc-
10 tion, addition to or alteration of public buildings for
11 which special appropriations of more than one thou-
12 sand dollars are provided, — so as to read as follows:
13 — *Section 26.* In the employment of mechanics,
14 teamsters and laborers in the construction, addition
15 to and alteration of public works by the common-
16 wealth, or by a county, town or district, or by persons
17 contracting therewith for such construction, addition
18 to and alteration of public works, preference shall first

19 be given to citizens of the commonwealth who have
20 served in the army or navy of the United States in
21 time of war and have been honorably discharged
22 therefrom or released from active duty therein, and
23 who are qualified to perform the work to which the
24 employment relates; and secondly, to citizens of the
25 commonwealth generally, and, if they cannot be ob-
26 tained in sufficient numbers, then to citizens of the
27 United States, and every contract for such work shall
28 contain a provision to this effect. The wages for a
29 day's work paid to mechanics and teamsters employed
30 in the construction, addition to or alteration of public
31 works as aforesaid shall be not less than the customary
32 and prevailing rate of wages for a day's work in the
33 same trade or occupation in the locality where such
34 public works are under construction or being added to
35 or altered; provided, that no town in the construc-
36 tion, addition to or alteration of public works shall be
37 required to give preference to veterans, not residents
38 of such town, over citizens thereof. This section shall
39 also apply to regular employees of the commonwealth
40 or of a county, town or district, when such employees
41 are employed in the construction, addition to or altera-
42 tion of public buildings for which special appropria-
43 tions of more than one thousand dollars are provided.
44 Any person or contractor who knowingly and wilfully
45 violates this section shall be punished by a fine of not
46 more than one hundred dollars.

47 Permanent and temporary laborers employed by
48 the state department of public works and by the
49 metropolitan district commission shall receive such
50 salary or compensation as may be fixed under and in
51 accordance with sections forty-five to fifty inclusive
52 of chapter thirty.

