

HOUSE . . . . No. 2020

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, April 21, 1947.

The committee on Bills in the Third Reading, to whom was referred the Bill 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 (House, No. 1862, amended) report recommending that the same be amended by the substitution of the accompanying bill (House, No. 2020).

For the committee,

ALLAN ROY KINGSTON.

## 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 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.

1    *Whereas*, the deferred operation of this act would  
2 result in unnecessarily delaying the time when cer-  
3 tain regular public employees would receive the  
4 benefits provided thereby, therefore it is hereby  
5 declared to be an emergency law, necessary for the  
6 immediate preservation of the public convenience.

*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 last sentence of the first paragraph,  
5 as appearing in chapter 461 of the acts of 1935, and  
6 inserting in place thereof the following:— This  
7 section shall also apply to regular employees of the  
8 commonwealth or of a county, town or district, when  
9 such employees are employed in the construction,  
10 addition to or alteration of public buildings for which  
11 special appropriations of more than one thousand  
12 dollars are provided, — so as to read as follows:—

13 *Section 26.* In the employment of mechanics,  
14 teamsters, chauffeurs and laborers in the construc-  
15 tion of public works by the commonwealth, or by a  
16 county, town or district, or by persons contracting  
17 or sub-contracting for such works, preference shall  
18 first be given to citizens of the commonwealth who  
19 have served in the army or navy of the United States  
20 in time of war and have been honorably discharged  
21 therefrom or released from active duty therein, and  
22 who are qualified to perform the work to which the  
23 employment relates; and secondly, to citizens of the  
24 commonwealth generally, and, if they cannot be  
25 obtained in sufficient numbers, then to citizens of the  
26 United States, and every contract for such work shall  
27 contain a provision to this effect. Each county,  
28 town or district in the construction of public works,  
29 or persons contracting or subcontracting for such  
30 works, shall give preference to veterans and citizens  
31 who are residents of such county, town or district.  
32 The rate per hour of the wages paid to said mechanics,  
33 teamsters, chauffeurs and laborers in the construction  
34 of public works shall not be less than the rate or  
35 rates of wages to be determined by the commissioner  
36 as hereinafter provided; provided, that the wages  
37 paid to laborers employed on said works shall not  
38 be less than those paid to laborers in the municipal  
39 service of the town or towns where said works are  
40 being constructed; provided, further, that where the  
41 same public work is to be constructed in two or more  
42 towns, the wages paid to laborers shall not be less  
43 than those paid to laborers in the municipal service  
44 of the town paying the highest rate; provided,  
45 further, that if, in any of the towns where the works  
46 are to be constructed, a wage rate or wage rates  
47 have been established in certain trades and occupa-

48 tions by collective agreements or understandings  
49 between organized labor and employers, the rate or  
50 rates to be paid on said works shall not be less than  
51 the rates so established; provided, further, that in  
52 towns where no such rate or rates have been so estab-  
53 lished, the wages paid to mechanics, teamsters, chauf-  
54 feurs and laborers on public works, shall not be less  
55 than the wages paid to the employees in the same  
56 trades and occupations by private employers engaged  
57 in the construction industry. This section shall also  
58 apply to regular employees of the commonwealth  
59 or of a county, town or district, when such employees  
60 are employed in the construction, addition to or  
61 alteration of public buildings for which special ap-  
62 propriations of more than one thousand dollars are  
63 provided.

64 Permanent and temporary laborers employed by  
65 the state department of public works and by the  
66 metropolitan district commission shall receive such  
67 salary or compensation as may be fixed under and  
68 in accordance with sections forty-five to fifty inclusive  
69 of chapter thirty.