

SENATE No. 222

To accompany the petition of The International Fur and Leather Workers Union, C. I. O., District One, by Isadore Pickman, director, for legislation to extend certain benefits under the employment security law. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT EXTENDING CERTAIN BENEFITS UNDER THE EMPLOYMENT SECURITY LAW.

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 1. Chapter 151A of the General Laws is
2 hereby amended by striking out section 23, as amended,
3 and inserting in place thereof the following section:—

4 *Section 23.* An individual who is in total or partial
5 unemployment and who registers at an employment
6 office or other place or registration maintained by the
7 director or has otherwise given notice of his unem-
8 ployment in accordance with the procedure prescribed
9 by the director shall be eligible for benefits for unem-
10 ployment sustained with respect to the benefit year
11 to which the claim applies, which benefit year includes
12 the week for which he claims payment for benefits.

1 SECTION 2. All references in chapter 151A to a
2 waiting period are hereby stricken therefrom.

1 SECTION 3. Chapter 151A of the General Laws is
2 hereby further amended by striking out subsection
3 (c) of section 25, as amended, and inserting in place
4 thereof the following section:—

5 (c) Any week in which an otherwise eligible indi-
6 vidual fails, without good cause, to apply for suitable
7 employment whenever notified so to do by the em-
8 ployment office, or to accept suitable employment
9 whenever offered him, and for so many of the next
10 four consecutive weeks as the director shall determine
11 from the circumstances in each case; provided, how-
12 ever, that the duration of benefits for unemployment
13 to which the employee is entitled shall not be reduced;
14 and provided, further, that no benefits shall be denied
15 a worker under this subsection pending final appeal
16 to and decision by the board of review.

17 “Suitable employment”, as used in this subsection,
18 shall be determined by the director, who shall take
19 into consideration whether the employment is detri-
20 mental to the health, safety or morals of an employee,
21 is one for which he is reasonably fitted by training and
22 experience, including employment not subject to this
23 chapter, is one calling for the same kind and degree
24 of skill and experience as that of his last regular em-
25 ployment, is one which is located within reasonable
26 distance of his residence or place of last employment,
27 and is one which does not involve travel expenses
28 substantially greater than that required in his former
29 work.

30 No work shall be deemed suitable and benefits shall
31 not be denied under this chapter to any otherwise
32 eligible individual for refusing to accept new work
33 under any of the following conditions:—

34 (1) If the position offered is vacant due directly to
35 a strike, lockout or other labor dispute:

36 (2) If the remuneration, hours or other conditions
37 of the work offered are substantially less favorable to
38 the individual than those prevailing for similar work
39 in the locality or for his last regular employment;

40 (3) If acceptance of such work would require the
41 individual to join a company union or would abridge
42 or limit his right to join or retain membership in any
43 bona fide labor organization or association of workmen.

1 SECTION 4. Chapter 151A of the General Laws is
2 hereby further amended by striking out subsection (e)
3 of section 25, as amended, and inserting in place
4 thereof the following subsection: —

5 (e) So many of the next four weeks of unemploy-
6 ment, as the director shall determine from the cir-
7 cumstances in each case, next ensuing after an indi-
8 vidual has left his employment —

9 (1) Voluntarily without good personal reasons or
10 without good cause attributable to the employing
11 unit or its agent, or

12 (2) By discharge shown to the satisfaction of the
13 director to be attributable solely to deliberate mis-
14 conduct in wilful disregard of the employing unit's
15 interest.

