

SENATE No. 234

To accompany the petition of Kenneth J. Kelley, secretary-treasurer, Massachusetts State Federation of Labor, for legislation to provide for the payment of unemployment compensation in certain cases where the stoppage of work is caused by a labor dispute. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION IN CERTAIN CASES WHERE THE STOPPAGE OF WORK IS CAUSED BY A LABOR DISPUTE.

*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 25 of chapter 151A of the General Laws is
2 hereby amended by striking out subsection (b), as
3 appearing in section 1 of chapter 685 of the acts of
4 1941, and inserting in place thereof the following:—

5 (b) Any week with respect to which the director
6 finds on the basis of satisfactory evidence produced
7 by his investigation that his unemployment is due to
8 a stoppage of work which exists because of a labor
9 dispute provided that —

10 (1) He personally or by his authorized agents par-
11 ticipates in or finances or is directly interested in the
12 labor dispute which caused the stoppage; or

13 (2) He is employed at the time of such stoppage
14 in a unit which has been certified to be appropriate

15 for the purposes of collective bargaining by the
16 National Labor Relations Board or the labor rela-
17 tions commission of the commonwealth, any em-
18 ployees of which are employed by the same employer
19 in the same department on the same premises as said
20 individual and participate in, finance or are directly
21 interested in the dispute; or

22 (3) In the absence of such certification, he is em-
23 ployed at the time of such stoppage in a trade or
24 occupation any employees in which are employed by
25 the same employer in the same department on the
26 same premises as said individual and are participating
27 in or financing or directly interested in the dispute.

28 (4) For the purposes of this chapter, the payment
29 of regular union dues or assessments shall not be
30 construed as participating in or financing or being
31 directly interested in a labor dispute.