

HOUSE No. 1029

By Mr. Spartichino of Cambridge, petition of the Federation of State, City & Town Employees (Ind.) for legislation relative to pensions for laborers in cities and towns. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO PENSIONS FOR CITY LABORERS.

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 77 of chapter 32 of the General Laws is hereby
2 amended by striking out subsection (a), as most recently
3 amended by chapter 243 of the acts of 1939, and inserting in
4 place thereof the following subsection:—

5 (a) Any laborer in the employ of a city or town, except Bos-
6 ton, which accepted chapter five hundred and three of the acts
7 of nineteen hundred and twelve, who has reached the age of
8 sixty and has been in such employ for not less than twenty-five
9 years and has become physically or mentally incapacitated for
10 labor; and any laborer in the employ of such city or town who
11 has been in such employ for not less than fifteen years and has
12 become physically or mentally incapacitated for labor by rea-
13 son of any injury received in the performance of his duties for
14 such city or town may, at his request, in cities, with the ap-
15 proval of the mayor, or in towns, with the approval of the select-
16 men, be retired from service; and if so retired he shall receive
17 from the city or town for the remainder of his life an annual
18 pension equal to one half of his annual rate of regular compen-
19 sation for full-time service as a laborer at his retirement; **pro-**
20 **vided, however, that if an employee has completed more**
21 **than twenty years of service he shall receive an addi-**
22 **tional amount equal to one per cent for each year of serv-**

23 **ice after the first twenty years ; and that the total amount**
24 **of such pension shall in no case exceed sixty-five per cent**
25 **of said compensation.** Any laborer in the employ of such city
26 or town who has reached the age of sixty-five and has been in
27 such employ for not less than twenty-five years, including the
28 time when incapacitated by reason of sickness or other dis-
29 ability incurred in or arising out of the performance of his duty,
30 not exceeding two years in the aggregate, as certified by a physi-
31 cian in regular standing, shall be retired from service, and shall
32 receive from the city or town an annual pension computed in
33 the manner hereinbefore set forth. No laborer in the employ of
34 such a city or town shall be eligible for retirement under any
35 method provided in this section unless he has actually been em-
36 ployed by it as a laborer for at least thirty-two weeks in the
37 aggregate in each of the years of employment required under
38 such method, but this provision shall not affect the deduction
39 of time permitted by the preceding sentence in the case of in-
40 capacity by reason of sickness or other disability.