

# HOUSE . . . . . No. 1049

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By Mr. Farrell of Worcester, petition of the Massachusetts State Council #41 AFL: CIO and Thomas F. Farrell for legislation relative to the tenure of certain teachers in institutions or departments of the Commonwealth. Public Service.

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## The Commonwealth of Massachusetts

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

AN ACT PROVIDING TENURE FOR CERTAIN EMPLOYEES OF THE  
COMMONWEALTH AFTER THREE YEARS' SERVICE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 30 of the General Laws is hereby amended by insert-  
2 ing after section 9C the following section:—  
3 *Section 9D.* A teacher in any institution in the departments  
4 of correction, mental health, public health or public welfare or in  
5 any institution under the jurisdiction of the youth service board,  
6 who is not employed in a position classified under chapter  
7 thirty-one, and who has served as a teacher in any of the institu-  
8 tions in the same department or under the youth service board,  
9 as the case may be, for three consecutive school years, notwith-  
10 standing any contrary provision of general or special laws, shall  
11 not be dismissed from such employment except for just cause,  
12 and for reasons specifically given him in writing by the appoint-  
13 ing authority. Before any such removal is effected the said  
14 teacher shall be given a full hearing before the appointing  
15 authority, of which hearing he shall have at least thirty days'  
16 written notice from the appointing authority, and he shall be  
17 allowed to answer the charges preferred against him either per-  
18 sonally or by counsel, and he shall be notified, within ten days  
19 after the hearing, of the decision of such authority. Upon  
20 failure to give the removed employee the requested hearing,

21 such employee shall be forthwith reinstated. A copy of said  
22 reasons, notice and answer shall be made a matter of public  
23 record in the department in which he is employed. If within  
24 five days after receiving written notice of the decision of the  
25 appointing authority the person so removed shall so request, he  
26 shall be given a hearing as provided by sections forty-three and  
27 forty-five of chapter thirty-one.