

SENATE No. 355

The Commonwealth of Massachusetts

SENATE, April 11, 1932.

The committee on Ways and Means, to whom was committed the Senate Bill relative to the Wages of Laborers on Certain Public Works (Senate, No. 65), report recommending that the same ought to pass, with an amendment substituting therefor a new draft herewith submitted (Senate, No. 355).

For the committee,

JAMES E. WARREN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Two.

An Act relative to the Wages of Laborers on Certain
Public Works.

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. Section twenty-six of chapter one
2 hundred and forty-nine of the General Laws, as
3 amended by chapter three hundred and seventy-
4 seven of the acts of nineteen hundred and thirty-one,
5 is hereby further amended by inserting after the word
6 "altered", in the twenty-first line, the following:—
7 , and the wages paid for a day's work to laborers so
8 employed shall be not less than those paid to laborers
9 in the municipal service of the city or town where the
10 public works are under construction or being added
11 to or altered, — so as to read as follows:— *Section*
12 *26.* In the employment of mechanics, teamsters and
13 laborers in the construction, addition to and altera-
14 tion of public works by the commonwealth, or by a
15 county, town or district, or by persons contracting
16 therewith for such construction, addition to and
17 alteration of public works, preference shall first be
18 given to citizens of the commonwealth who have
19 served in the army or navy of the United States in
20 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 ob-
25 tained 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. The wages for a
28 day's work paid to mechanics and teamsters employed
29 in the construction, addition to or alteration of public
30 works as aforesaid shall be not less than the customary
31 and prevailing rate of wages for a day's work in the
32 same trade or occupation in the locality where such
33 public works are under construction or being added
34 to or altered, and the wages paid for a day's work to
35 laborers so employed shall be not less than those paid
36 to laborers in the municipal service of the city or town
37 where the public works are under construction or
38 being added to or altered; provided, that no town in
39 the construction, addition to or alteration of public
40 works shall be required to give preference to vet-
41 erans, not residents of such town, over citizens thereof.
42 This section shall also apply to regular employees of
43 the commonwealth or of a county, town or district
44 when such employees are employed in the construction,
45 addition to and alteration of public works for which
46 special appropriations are provided. Any person or
47 contractor who knowingly and wilfully violates this
48 section shall be punished by a fine of not more than
49 one hundred dollars.

1 SECTION 2. Said chapter one hundred and forty-
2 nine is hereby amended by striking out section twenty-
3 seven and inserting in place thereof the following:—
4 *Section 27.* In case of any dispute as to the cus-
5 tomary and prevailing rate of wages payable to me-

6 chancies or teamsters, or as to the wages paid to
7 laborers in the municipal service of a city or town,
8 under the provisions of section twenty-six, the de-
9 partment shall make due investigation and decide
10 what rate of wages is payable thereunder.