

SENATE No. 420

[Senate, No. 420. — Moved (Curtis) as substitute for House Bill No. 458, changed.]

The Commonwealth of Massachusetts

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

AN ACT PROHIBITING THE EVASION OF THE MINIMUM FAIR WAGE FOR WOMEN AND MINORS LAW.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, therefore it is hereby de-
3 clared to be an emergency law, necessary for the
4 immediate preservation of the public convenience.

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

1 Section nineteen of chapter one hundred and fifty-
2 one of the General Laws, as appearing in section one
3 of chapter four hundred and one of the acts of nine-
4 teen hundred and thirty-seven, is hereby amended by
5 adding at the end the following new paragraph:—

6 (4) No person shall, for the purpose of evading the
7 provisions of this chapter, establish any arrangement
8 or organization in his business, by contract, lease,
9 agreement or understanding with any woman or
10 minor who would otherwise be an employee of such
11 person, whereby such a woman or minor does not
12 become or ceases to be an employee of said person.

13 If the commissioner has reason to believe that any
14 person is violating this section he shall notify such
15 person of such violation and hold a public hearing or
16 hearings thereon at which an opportunity to be
17 heard shall be afforded to any such person. If the
18 commissioner finds that such violation is established
19 he may order such person to cease and desist from
20 such violation. Any person so ordered to cease and
21 desist who fails within thirty days of the time when
22 such order is served upon him to comply with such
23 order shall be punished by a fine of not less than one
24 hundred dollars or by imprisonment for not less than
25 ten nor more than ninety days or by both such fine
26 and imprisonment.