

SENATE No. 316

To accompany the petition of the Massachusetts State Federation of Labor, by Kenneth I. Taylor, secretary-treasurer, for legislation to provide benefits in certain unemployment compensation cases. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR BENEFITS IN CERTAIN CASES.

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

1 The provisions of section sixteen *b* (1) and (2) of
2 chapter one hundred and fifty-one A of the General
3 Laws are hereby amended by striking out said sub-
4 sections and inserting in place thereof the following: —

5 (b) No benefits shall be paid to an individual under
6 this chapter for any week with respect to which the
7 commission finds that his total unemployment is due
8 to a stoppage of work which exists because of a labor
9 dispute at the factory, establishment or other premises
10 at which he was last employed; provided, that this
11 subsection shall not apply if it is shown to the satisfac-
12 tion of the commission that —

13 (1) He is not participating in or financing or
14 directly interested in the labor dispute which caused
15 the stoppage of work; and that he does not belong

16 to a grade or class of workers of which, immediately
17 before the commencement of the stoppage, there were
18 members employed at the premises at which the stop-
19 page occurs, any of whom are participating in or
20 financing or directly interested in the dispute; pro-
21 vided, however, that the payment of regular union dues
22 or assessments shall not be construed as financing a
23 labor dispute within the meaning of this subsection.

24 (2) Provided, that if, in any case, separate branches
25 of work which are commonly conducted as separate
26 businesses in separate premises are conducted in
27 separate departments of the same premises, each such
28 department may, for the purposes of this subsection,
29 be deemed to be a separate factory, establishment or
30 other premises.