

# HOUSE . . . . No. 1038

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By Mr. Carroll of Lynn, petition of the Massachusetts State Federation of Labor for legislation to promote peaceful industrial relations by regulating certain forms of private police and detective activity in labor disputes. Judiciary (Joint).

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## The Commonwealth of Massachusetts

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

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An Act relative to promoting Peaceful Industrial Relations by regulating Certain Forms of Private Police and Detective Activity in Labor Disputes and Related Matters.

*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. Chapter one hundred and forty-seven  
2 of the General Laws is hereby amended by inserting  
3 after section twenty-five the following new sections: —  
4 *Section 25A.* For the purposes of any or all of this  
5 chapter, the term “private detective” shall include,  
6 among others, those persons known as inside shop  
7 operatives and also persons known as strikebreakers,  
8 — that is, persons who do not undertake direct em-  
9 ployment whether in shops or otherwise with the  
10 owner of a place of employment, but who are engaged  
11 by some independent agency to operate or work in  
12 such place of employment, or to render reports of  
13 activities in such place of employment to such inde-

14 pendent agency, or to the owners of the place of  
15 employment under the direction of such independent  
16 agency.

17 *Section 25B.* Any private detective duly licensed  
18 under this act shall within twenty-four hours of  
19 entering or causing some one to enter any place of  
20 employment for any purpose whatsoever as an  
21 employee or posing as an employee in such place of  
22 employment — file with the commissioner of public  
23 safety a statement in writing of the purpose of such  
24 action. Any failure so to report or any misstatement  
25 in such report may be the subject of complaint by  
26 any aggrieved party, including any officer of an ag-  
27 grieved labor union or association, whether incorpo-  
28 rated or otherwise, and the filing of any such com-  
29 plaint shall subject the private detective to revoca-  
30 tion of his or its license for not less than one year,  
31 after opportunity for an impartial hearing conducted  
32 by the commissioner of public safety to ascertain the  
33 requisite facts.

34 *Section 25C.* It shall be unlawful for any private  
35 detective duly licensed under this statute to enter or  
36 cause some one to enter any place of employment for  
37 any purpose having to do with the organizing or  
38 organization of employees in said establishment, or  
39 any purpose having to do with hours of labor, wages  
40 or salaries paid, or conditions of employment in such  
41 establishment or its branches or subsidiaries or related  
42 with, or to disseminate propaganda of any sort among  
43 employees in such establishment, or to be concerned  
44 in any and all ways with any employees as a group.  
45 Violation of this section shall subject the private  
46 detective concerned to loss of his or its license for not  
47 less than one year after opportunity for an impartial

48 hearing by the commissioner of public safety on  
49 complaint of any aggrieved person or the officer of  
50 any aggrieved labor union or association, whether  
51 incorporated or otherwise.

1 SECTION 2. Chapter one hundred and forty-seven  
2 of the General Laws is hereby amended by adding at  
3 the end of section twenty-six the following: — and  
4 the word “person” under this section shall include  
5 the officer of any aggrieved labor union or associa-  
6 tion, whether incorporated or otherwise, — so that  
7 the whole of section twenty-six shall read: — *Sec-*  
8 *tion 26.* For each license, the licensee, if an indi-  
9 vidual, shall pay to the commissioner the sum of  
10 one hundred dollars annually, and if a partnership or  
11 corporation, the sum of two hundred dollars annu-  
12 ally, and shall give to the commissioner a bond in  
13 the sum of five thousand dollars, executed by the  
14 applicant as principal and by a surety company  
15 authorized to do business in the commonwealth as  
16 surety. The bond shall be in such form as the com-  
17 missioner may prescribe, conditioned upon the honest  
18 conduct of the business of the licensee, and the right  
19 of any person injured by the wilful, malicious or  
20 wrongful act of the licensee to bring in his own name  
21 an action on the bond; and the word “person” under  
22 this section shall include the officer of any aggrieved  
23 labor union or association, whether incorporated or  
24 otherwise.

1 SECTION 3. Chapter one hundred and forty-seven  
2 of the General Laws is hereby amended by striking  
3 out all of section thirty and substituting the fol-  
4 lowing: —



5     *Section 30.* Sections twenty-two to twenty-nine,  
6 inclusive, shall not apply to any detective or officer  
7 belonging to the police force of the commonwealth,  
8 or of any subdivision thereof, while engaged in the  
9 performance of his official duties; nor to a charitable,  
10 philanthropic, or law enforcement society or associa-  
11 tion incorporated under the laws of the common-  
12 wealth nor to any agent thereof while engaged in the  
13 discharge of his duties as such agent, provided the  
14 society does not engage in any activities in any way  
15 concerned with employee or labor disputes, problems,  
16 or other matters, or in any activities described in  
17 sections twenty-five A and twenty-five B and twenty-  
18 five C and provided also the society is promoted and  
19 maintained for the public good and not for private  
20 profit, nor to any person employed by an attorney at  
21 law or an insurance company duly authorized to do  
22 business in the commonwealth for purposes of in-  
23 vestigating any pending case, suit, or claim whose  
24 services are not let out to another for profit or gain;  
25 nor to any regularly established credit reporting or  
26 mercantile agency.