
Chapter 276. AN ACT RELATIVE TO BANKS CONDUCTING BUSINESS ON SUNDAYS.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by adding the following clause:-

(55) The conduct of banking operations by a bank as defined in section one of chapter one hundred and sixty-seven.

Emergency Letter: August 9, 1996 @ 9:42A.M.

Approved August 8, 1996.

Chapter 277. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE TOWN OF NORTHBRIDGE AS THE STAFF SERGEANT JOSEPH E. FITZGERALD BRIDGE.

Be it enacted, etc., as follows:

The bridge, under construction, on Route 122 and known as bridge number B-21-13 spanning the Providence and Worcester railroad tracks in the town of Northbridge shall be designated and known as the Staff Sergeant Joseph E. Fitzgerald bridge in honor of Joseph E. Fitzgerald who was missing in action in the Vietnam conflict. A suitable marker bearing such designation shall be attached thereto by the department of highways in compliance with the standards of said department.

Approved August 8, 1996.

Chapter 278. AN ACT RELATIVE TO SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151B of the General Laws is hereby amended by inserting after section 3 the following section:-

Section 3A. (a) All employers, employment agencies and labor organizations shall promote a workplace free of sexual harassment.

(b) Every employer shall:

(1) adopt a policy against sexual harassment which shall include:

(i) a statement that sexual harassment in the workplace is unlawful;

(ii) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;

(iii) a description and examples of sexual harassment;

(iv) a statement of the range of consequences for employees who are found to have

committed sexual harassment;

(v) a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and

(vi) the identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact such agencies.

(2) provide annually to all employees an individual written copy of the employer's policy against sexual harassment; provided, however, that a new employee shall be provided such a copy at the time of his employment.

(c) The commission shall prepare and provide to employers subject to this section a model policy and poster consistent with federal and state statutes and regulations, which may be used by employers for the purposes of this section.

(d) An employer's failure to provide the information required to be provided by this section shall not, in and of itself, result in the liability of said employer to any current or former employee or applicant in any action alleging sexual harassment. An employer's compliance with the notice requirements of this section shall not, in and of itself, protect the employer from liability for sexual harassment of any current or former employee or applicant.

(e) Employers and labor organizations are encouraged to conduct an education and training program for new employees and members, within one year of commencement of employment or membership, which includes at a minimum the information set forth in this section. Employers are encouraged to conduct additional training for new supervisory and managerial employees and members within one year of commencement of employment or membership, which shall include at a minimum the information set forth in subsection (b), the specific responsibilities of supervisory and managerial employees and the methods that such employees should take to ensure immediate and appropriate corrective action in addressing sexual harassment complaints. Employers, labor organizations and appropriate state agencies are encouraged to cooperate in making such training available.

SECTION 2. Notwithstanding the provisions of subsection (b) of section three A of chapter one hundred and fifty-one B of the General Laws, employers shall provide individual copies of their written policies on sexual harassment to all employees as required in said section three A, on or before September first, nineteen hundred and ninety-six; provided, however, that for any person hired between the effective date of this act and the date the copy of such written policy is given hereunder, the employer shall not be required to provide such a copy at the time of employment, unless the employer has previously provided such a copy to other employees within the twelve months preceding said time of employment.

SECTION 3. Notwithstanding any provision of subsection (e) of section three A of chapter one hundred and fifty-one B of the General Laws to the contrary, employees and labor organizations are encouraged to conduct an education and training program on sexual harassment consistent with the provisions of said section three A on or before September first, nineteen hundred and ninety-six, for persons employed on the date such program is

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conducted and employers are encouraged to conduct such an additional training program consistent with the provisions of said section three A, on or before September first, nineteen hundred and ninety-six, for persons employed in a supervisory or managerial position on the date such program is conducted.

SECTION 4. Notwithstanding any provisions of chapter one hundred and fifty-one B of the General Laws or any other law to the contrary, for the purpose of section three A of said chapter one hundred and fifty-one B, the term "employer" shall be as defined in section one of said chapter one hundred and fifty-one B, except, from the effective date of this act until January first, nineteen hundred and ninety-seven, it shall not include any employer with fourteen or fewer employees.

Approved August 8, 1996.

Chapter 279. AN ACT FURTHER REGULATING THE APPOINTMENT OF VETERANS' GRAVES OFFICERS.

Be it enacted, etc., as follows:

Section 9 of chapter 115 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The mayor of every city and the selectmen of every town shall appoint a resident of such city or town who shall be a veteran as defined in clause Forty-third of section seven of chapter four, as a veterans' graves officer, for a term to be determined by the appointing authority; provided, however, that said term shall not exceed five years.

Approved August 8, 1996.

Chapter 280. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO SELL AND CONVEY CERTAIN PARK AND RECREATIONAL LAND TOGETHER WITH THE SALE OF THE MUNICIPAL HOSPITAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to sell and convey to an entity selected pursuant to a request for proposal for the sale of the Springfield Municipal Hospital property, all its right, title and interest in a certain parcel of park and recreational land in said city to be used for ingress and egress to and from said hospital's parking lots, and described as follows:

Said parcel is shown on a plan entitled "Plan of Land, Municipal Hospital Property, State Street and Blunt Park Road. Owned by the City of Springfield". Scale 1" = 50', dated September, nineteen hundred and ninety-five.