

By Mr. O'Farrell of Malden, petition of the Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, AFL:CIO, and George H. O'Farrell for regulating further the awarding of school bus contracts. Education.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE AWARDING OF SCHOOL BUS CONTRACTS.

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 first paragraph of section 7A of chapter 71 of the General
2 Laws, as amended by chapter 754 of the acts of 1949, is hereby
3 further amended by striking out clause (h) and inserting in place
4 thereof the following:—

5 (c) That no contract shall be awarded except upon the basis
6 of prevailing wage rates as hereinafter provided and of sealed
7 bids, and the school committee shall award such contract to that
8 common carrier of passengers by motor vehicle, as defined in
9 section ten of chapter one hundred and fifty-nine A, who is the
10 lowest responsible bidder.

11 Prior to awarding a contract, the school committee shall re-
12 quest the commissioner of labor and industries to determine the
13 rate of wages to be paid to each person to be employed by the
14 carrier under said contract, and shall forward to the commissioner
15 a list of jobs to be performed under the contract. The commis-
16 sioner shall proceed forthwith to determine the same, and shall
17 furnish said school committee with a schedule of such rate or
18 rates of wages. The determined rate per hour of said wages
19 shall not be less than those established by collective agreements
20 or understandings between organized labor and employers in
21 such city or town for operators of motor buses; provided, that
22 in cities or towns where such rate or rates have been so estab-
23 lished, the wages determined shall not be less than the wages
24 paid for that type of employment by such carriers.

25 In advertising for or inviting bids, said school committee shall
26 incorporate said schedule in the advertisement or invitation by
27 an appropriate reference thereto, and shall furnish a copy of
28 said schedule, without cost, to any person requesting the same.
29 Said schedule shall be made a part of the contract, and shall
30 continue to be the minimum rate or rates of wages during the
31 life of the contract. The carrier shall cause a copy of said
32 schedule to be kept posted in a conspicuous place during the life
33 of the contract.

34 Whoever shall pay or agree to pay less than said rate or rates
35 of wages to any person performing work within the schedule,
36 and whoever, for himself, or as representative, agent or officer of
37 another person, as a rebate, refund or gratuity, or in any other
38 guise, any part or portion of the wages paid to any such person
39 for work done or service rendered under said contract, shall be
40 punished by a fine of not less than one hundred nor more than
41 five hundred dollars, and whoever shall have been convicted of a
42 second such violation shall be prohibited from contracting, di-
43 rectly or indirectly, with any city or town for a period of two
44 years from date of said conviction; provided, however, that the
45 provisions of this clause (c) shall not apply in towns where no
46 such carriers are registered or certified.