

By Mr. Buglione of Methuen, petition of Nicholas J. Buglione relative to hearings and investigations of the Labor Relations Commission. Commerce and Labor.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO HEARINGS AND INVESTIGATIONS OF THE LABOR RELATIONS COMMISSION.

*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 9Q of Chapter 23 of the General Laws, as appearing in  
2 chapter 345 of the acts of 1938, is hereby amended by inserting at  
3 the end thereof the following.

4 For the purpose of all hearings and investigations which in the  
5 opinion of the commission are necessary and proper for the exer-  
6 cise of powers vested in it by chapters 150A and 150E.

7 (1) The commission, or its duly authorized agents or agencies,  
8 shall at all reasonable times have access to, for the purpose of  
9 examination, and the right to copy any evidence of any person  
10 being investigated or proceeded against that relates to any matter  
11 under investigation or in question. Any members of the commis-  
12 sion shall have the power to issue subpoenas requiring the attend-  
13 ance and testimony of witnesses and the production of any  
14 evidence that relates to any matter under investigation or in ques-  
15 tion before the commission, its member, agent or agency conduct-  
16 ing the hearing or investigation. Any member of the commission,  
17 or any agent or agency designated by the commission for such  
18 purposes, may administer oaths and affirmations, examine wit-  
19 nesses, and receive witnesses, and receive evidence. Such attendance  
20 of witnesses and the production of such evidence may be required  
21 from any place in the commonwealth, at any designated place of  
22 hearing.

23 (2) In case of contumacy or refusal to obey a subpoena issued to  
24 any person, the superior court within the jurisdiction of which the  
25 inquiry is carried on or within the jurisdiction of which said person  
26 guilty of contumacy or refusal to obey is found or resides or  
27 transacts business, upon application by the commission shall have  
28 the jurisdiction to issue to such person an order requiring such  
29 person to appear before the commission, its member, agent or  
30 agency, there to produce evidence if so ordered, or there to give  
31 testimony, touching the matter under investigation or in question;  
32 and any failure to obey such order of the court may be punished by  
33 said court as a contempt thereof.

34 (3) No person shall be excused from attending and testifying or  
35 from producing books, records, correspondence, documents or  
36 other evidence in obedience to the subpoena of the commission, on  
37 the ground that the testimony or evidence required of him may  
38 tend to incriminate him or subject him to penalty or forfeiture; but  
39 no individual shall be prosecuted or subjected to any penalty or  
40 forfeiture for or on account of any transaction, matter or thing  
41 concerning which he is compelled, after having claimed his privi-  
42 lege against self-incrimination, to testify or produce evidence,  
43 except that such individual so testifying shall not be exempt from  
44 prosecution and punishment for perjury committed in so  
45 testifying.

46 (4) Complaints, orders and other processes and papers of the  
47 commission, its member, agent or agency may be served either  
48 personally, or by registered mail or by telegraph or by leaving a  
49 copy thereof at the principal office or place of business of the  
50 person required to be served. The verified return by the individual  
51 so serving the same setting forth the manner of such service shall be  
52 proof of service of the same, and the return post office receipt or  
53 telegraph receipt therefor when registered and mailed or  
54 telegraphed as aforesaid shall be proof of service of the same.  
55 Witnesses summoned before the Commission, its member, agent  
56 or agency shall be paid the same fees and mileage that are paid  
57 witnesses in civil cases before the courts of the commonwealth, and  
58 witnesses whose depositions are taken and the persons taking the  
59 same shall severally be entitled to the same fees as are paid for like  
60 services in the courts of the commonwealth.