

By Mr. Semensi of Randolph, petition of the Associated General Contractors of Massachusetts, Inc., for a change in the law relative to employment on public construction projects in the Commonwealth. State Administration.

The Commonwealth of Massachusetts

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

AN ACT TO AMEND PUBLIC WORKS; PREFERENCE TO VETERANS AND CITIZENS; CONTRACT PROVISION; WAGES; PAYMENTS TO HEALTH AND WELFARE PLANS.

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 twenty-six of chapter one hundred forty-nine is hereby
2 amended by striking out the present section and inserting thereof
3 the following new section:

4 *Section 26.* In the employment of mechanics and apprentices,
5 teamsters, chauffeurs and laborers in the construction of public
6 works by the commonwealth, or by a county, town, or district, or
7 by persons contracting or subcontracting for such works, prefer-
8 ence shall first be given to citizens of the commonwealth who have
9 been residents of the commonwealth for at least six months at the
10 commencement of their employment who are veterans as defined
11 in clause Forty-third of section seven of chapter four, and who are
12 qualified to perform the work to which the employment relates;
13 and secondly, to citizens of the commonwealth generally who have
14 been residents of the commonwealth for at least six months at the
15 commencement of their employment, and if they cannot be
16 obtained in sufficient numbers, then to citizens of the United
17 States, and every contract for such work shall contain a provision
18 to this effect. Each county, town or district in the construction of
19 public works, or persons contracting or subcontracting for such
20 works, shall give preference to veterans and citizens who are resi-
21 dents of such county, town or district. The rate per hour of the

22 wages paid to said mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of public works shall not be
23 less than the rate or rates of wages to be determined by the commissioner as hereinafter provided; provided, that the wages paid to
24 laborers employed on said works shall not be less than those paid to laborers in the municipal service of the town or towns where said
25 works are being constructed; provided, further, that where the same public work is to be constructed in two or more towns, the
26 wages paid to laborers shall not be less than those paid to laborers in the municipal service of the town paying the highest rate; provided, further, that if in any of the towns where the works are to be
27 constructed, a wage rate or wage rates have been established in certain trades and occupations by collective agreements or understandings between organized labor and employers, the rate or rates
28 to be paid on said works shall not be less than the rates so established; provided further, that in towns where no such rate or rates
29 have been so established, the wages paid to mechanics, teamsters, chauffeurs and laborers on public works, shall not be less than the wages paid to the employees in the same trades and occupations by
30 private employers engaged in the construction industry. This section shall also apply to regular employees of the commonwealth or of a county, town or district, when such employees are employed in
31 the construction, addition to or alteration of public buildings for which more than one thousand dollars are provided. Payments by employers to health and welfare, pension or any other programs
32 provided for under collective bargaining agreements or understandings between organized labor and employers shall be included for the purpose of establishing minimum wage rates as
33 herein provided.

34 Permanent and temporary laborers employed by the state department of public works and by the metropolitan district commission shall receive such salary or compensation as may be fixed
35 under and in accordance with sections forty-five to fifty inclusive of chapter thirty.