

By Mr. Bassett of Lynn, petition of Timothy A. Bassett for legislation to provide for assistance to employers seeking to maintain certain levels of employment. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT PROVIDING FOR ASSISTANCE TO EMPLOYERS SEEKING TO MAINTAIN CERTAIN LEVELS OF EMPLOYMENT.

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 6A of the General Laws is hereby amend-
2 ed by adding after Section 17A the following section: —

3 *Section 17B.* (1) (a) There is hereby created a body politic and
4 corporate to be known as the Massachusetts Office of Employer
5 Assistance. The Office is hereby constituted a public instrumentali-
6 ty and the exercise by the Office of the powers conferred by this
7 Chapter shall be deemed to be the performance of an essential
8 governmental function.

9 The Office shall be placed in the executive office of manpower
10 affairs but shall not be subject to the supervision or control of any
11 board, bureau, department or other agency of the Commonwealth
12 except as specifically provided in this Chapter.

13 (1) (b) The Office shall be governed and its corporate powers
14 exercised by a Board of Directors, which shall consist of 7 directors
15 including the Secretary of Manpower Affairs, the Secretary of
16 Administration and Finance, the Commissioner of Labor and
17 Industries, provided that any of the foregoing persons may desig-
18 nate another person from time to time to act in his or her place for a
19 particular purpose, including the right to attend and vote at a
20 specific meeting of the Board, and three other members appointed
21 by the Governor, one of whom shall be an officer of a financial
22 institution, one of whom shall be a representative of a local indus-

23 trial development authority and one of whom shall be a member of
24 the Massachusetts Bar. Each member appointed by the Governor
25 shall serve for a term of three years. Any person appointed to fill a
26 vacancy in the office of a member of the board shall be appointed in
27 a like manner and shall serve for a term of three years. Any person
28 appointed to fill a vacancy in the office of a member of the board
29 shall be appointed in a like manner and shall serve for only the
30 unexpired term of such member. Any member may be removed
31 from his appointment by the Governor for cause.

32 Members of the board shall receive no compensation for their
33 services, but shall be reimbursed for expenses necessarily incurred
34 in the performance of their duties.

35 The board shall elect a chairman who shall serve in this capacity
36 for a period of one year. Four of the directors of the agency shall
37 constitute a quorum and the affirmative vote of four directors shall
38 be necessary for any action to be taken by the board.

1 SECTION 2. The Office of Employer Assistance shall be di-
2 rected by a Senior Management Consultant to be appointed by the
3 Governor for a term of five years at a salary to be determined by the
4 Governor. The Senior Management Consultant shall be the Ad-
5 ministrative and operational officer of the office and may, subject
6 to the general supervision of the board, employ other employees,
7 consultants, agents, including legal counsel, and advisors, and
8 shall attend meetings of the board.

9 Employees of the office shall not be subject to the provisions of
10 Chapter thirty-one of the General Laws. Salaries for employees
11 shall be set by the Board of Directors.

1 SECTION 3. (a) The responsibilities of the office of employer
2 assistance shall be to provide confidential assistance to private
3 employers located within the Commonwealth in order to prevent
4 business failures and plant closings.

5 The office shall provide to interested employers:

6 (1) Management Consulting services;

7 (2) Financial consulting and advice regarding Capital forma-
8 tion;

9 (3) Assistance in seeking aid under the business incentive and
10 economic development programs of the Commonwealth.

11 (4) Assistance in the formation of employee stock ownership
12 plans and other employee ownership plans.

13 (b) The office may, with the approval of the Board of Directors,
14 issue rules and regulations governing the eligibility of employees
15 seeking assistance. Eligibility shall be based on the likelihood that
16 the business will fail or suffer a significant reduction in employ-
17 ment without assistance from this office.

