

By Mr. Wetmore, a petition (accompanied by bill, Senate, No. 1140) of Robert D. Wetmore and Patrick F. Landers III for legislation to establish a job action complaint board for certain state employees. Public Service.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety.

AN ACT ESTABLISHING A JOB ACTION COMPLAINT BOARD FOR CERTAIN STATE EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 150E of the General Laws is hereby amended by adding  
2 the following section: —

3 Section 16. There is hereby established a job action complaint  
4 board, within the department of labor but not subject to its  
5 control, consisting of the secretary of labor or his designees and  
6 four members to be appointed by the governor for a term of four  
7 years, one of whom shall be an attorney licensed to practice in  
8 the commonwealth and one of whom shall be experienced in  
9 grievance resolution for the purpose of hearing and resolving job  
10 action complaints or grievances of employees as defined in section  
11 one, who are not members of a union or who are not participants  
12 in a collective bargaining agreement.

13 Said secretary of labor, or his designee, shall serve as  
14 chairperson. Said secretary shall promulgate rules and regulations  
15 necessary to implement the provisions of this section. Such  
16 regulations shall include the following options for an employee  
17 in the following categories:

18 A. An employee who was terminated or forced to resign could  
19 choose to be reinstated to his former position and continue his  
20 employment with all back pay, benefits and seniority rights.

21 B. An employee who was terminated could choose to have said  
22 termination removed from his personnel record and receive all

23 back pay and benefits from the date of termination, and a  
24 voluntary letter of resignation submitted placed in his personnel  
25 file.

26 C. An employee forced to resign could choose to have all traces  
27 of said resignation removed from his personnel record and receive  
28 all back pay and benefits from the date of his resignation, and  
29 a voluntary letter of resignation submitted by him and placed in  
30 his personnel file.

31 D. An employee forced to retire could choose to be reinstated  
32 to the position retired from and continue his employment with  
33 all back pay, benefits, and seniority rights.

34 E. An employee forced to retire could choose to have said  
35 retirement removed from his personnel record and receive all back  
36 pay and benefits from the date of his retirement, and a voluntary  
37 letter of retirement submitted by him and placed in his personnel  
38 file.

39 F. An employee who was demoted could choose to be reinstated  
40 to his former position and continue employment with all back pay,  
41 benefits and seniority rights.

42 G. An employee denied promotion could choose to be  
43 reinstated to his former position and continue employment with  
44 all back pay, benefits and seniority rights.