

Chap. 507. AN ACT REDUCING THE TIME WITHIN WHICH RECONSIDERATION OF CERTAIN DETERMINATIONS BY THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY MAY BE REQUESTED.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 12 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 1, the word "thirty" and inserting in place thereof the word:—ten,—so as to read as follows:—

Such employing unit may, within ten days after the mailing of notice of such determination, request that the director grant a hearing for the purpose of reconsidering the facts submitted and to consider any additional information. After such hearing, the director shall affirm, modify or revoke this determination and notice of his finding shall be mailed to the employing unit.

SECTION 2. The last paragraph of said section 12 of said chapter 151A, as so appearing, is hereby amended by inserting after the word "was", in line 3, the words:—subject or was,—so as to read as follows:—

Nothing in this section shall be construed to prevent the director, after notice to the affected parties, from reconsidering his determination that the employing unit was subject or was not subject to this chapter, when in his judgment it appears that because of newly discovered evidence or for any other reasonable cause the determination should be reconsidered.

Approved August 24, 1959.

Chap. 508. AN ACT RELATIVE TO GIVING NOTICE TO THE DIRECTOR OF THE DIVISION OF EMPLOYMENT SECURITY OF THE TRANSFER OF A BUSINESS FROM ONE EMPLOYER TO ANOTHER.

Be it enacted, etc., as follows:

Subsection (n) of section 14 of chapter 151A of the General Laws is hereby amended by striking out paragraph (1), as amended by section 1 of chapter 643 of the acts of 1958, and inserting in place thereof the following paragraph:—(1) If the business of an employer is transferred in whole or in part to another employer or employing unit the transferee shall be deemed a successor for the purpose of this section; provided, that the portion of the business so transferred was operated by the transferring employer as a separate business enterprise the pay roll records of which were not commingled with those of other employing enterprises of such transferring employer at any time during the three calendar years immediately preceding the date of transfer of such business. Under such conditions the transfer of any of the assets of an employer's business by any means whatever otherwise than in the ordinary course of trade shall be deemed a transfer of business and shall constitute the transferee a successor hereunder, provided the transferee has continued or resumed the business of the transferor either in the same establishment or elsewhere and has employed substantially the same employees as those the transferor had employed in connection with the assets transferred.

Approved August 24, 1959.