

By Mr. Corriveau of Sturbridge, petition of Paul J. Corriveau that the Director of Personnel and Standardization be authorized to prescribe pay differentials for employees of the Commonwealth under certain circumstances. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO AUTHORIZING PAY DIFFERENTIAL IN CERTAIN CASES.

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 30 of the General Laws is hereby amended by
2 inserting after section 24B, the following new section: —

3 *Section 24C. (a)* Any employee, employee representative, or
4 appointing officer, with respect to any position or positions in
5 his department or agency, may apply to the director of person-
6 nel and standardization on form prescribed and furnished by
7 him, for a review of such position or positions to determine
8 whether a pay differential should be authorized pursuant to
9 this section. The director may consolidate applications pertain-
10 ing to a particular position or positions. The director may
11 designate an officer or employee of the bureau of personnel to
12 conduct a hearing with relation to any application for a pay
13 differential.

14 *(b)* Any employee, employee representative or appointing
15 officer aggrieved by a determination of the director may appeal
16 from such determination to the personnel appeals board in
17 accordance with the provisions of chapter thirty, sections fifty-
18 three through fifty-seven inclusive. The personnel appeals board
19 shall transmit its decision to the director of personnel and
20 standardization, the employee, employee representative or
21 department head affected thereby.

22 *(c)* Whenever the director finds that under community wage
23 practices in private or other public employment in one or more

24 areas or locations in the commonwealth, wage rates of em-
25 ployees in a given occupation are substantially higher than the
26 wage rates of employees in a similar occupation in private or
27 public employment in the commonwealth generally, he may,
28 subject to the approval of the Commissioner of Administration,
29 authorize a pay differential to be paid to those employees in
30 the same or related occupations in the state service who are
31 employed in such areas or locations. A pay differential under
32 this section shall be a percentage of basic salary or a fixed
33 dollar amount per day period, as prescribed in each case by the
34 director subject to the approval of the Commissioner of Ad-
35 ministration. Such differential shall be paid in addition to and
36 shall not be part of an employee's basic annual salary, and shall
37 not affect or impair any increments or other rights or benefits
38 to which an employee be entitled under the provisions of this
39 chapter, provided, however, that any differential payable pur-
40 suant to this subsection shall be included as compensation for
41 retirement purposes. A pay differential shall be terminated for
42 any employee when he ceases to be employed in the position,
43 or area or location for which such pay differential was author-
44 ized. A pay differential shall remain in effect until terminated
45 by the director, with the consent of the Commissioner of
46 Administration, until a new pay differential is authorized pur-
47 suant to this subsection. The director may adopt such regu-
48 lations as he may deem necessary to carry out the provisions of
49 this subsection.