

SENATE No. 529

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 529) of Joseph F. Timilty and Frances Fielding Jones for legislation to extend the employment rights of handicapped persons to rehabilitated individuals with a prior illness. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO EXTEND THE EMPLOYMENT RIGHTS OF HANDICAPPED PERSONS TO REHABILITATED INDIVIDUALS WITH A PRIOR ILLNESS.

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 149 of the General Laws is hereby amended by
2 striking out section 24K as most recently amended by chapter
3 532 of the acts of 1972, and inserting in place thereof the fol-
4 lowing section: —

5 (a) Whoever, personally or by an agent, shall dismiss from
6 employment, or refuse to hire, solely because of his handicap
7 or prior illness, any rehabilitated handicapped person who pos-
8 sesses the physical and mental capacity to perform the func-
9 tions required by said employment, shall be punished by a fine
10 of not less than one hundred nor more than three hundred
11 dollars.

12 (b) A person who has been unreasonably discriminated
13 against because of his handicap or prior illness, may at his
14 election, bring a civil action for damages, or apply for such
15 equitable relief as may be just and proper under the circum-
16 stances, or both.

