

[Similar Matter Filed During Past Session —

See Senate No. 1916 of 1985.]

# SENATE . . . . . No. 1314

By Ms. Melconian, a petition (accompanied by bill, Senate, No. 1314) of Linda J. Melconian for legislation relative to the dismissal of employees who have reached the mandatory retirement age. Public Service.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO THE MANDATORY RETIREMENT AGE.

*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. Section 90F of Chapter 32 of the General Laws is hereby  
2 amended by striking out the words, "provided, however, that he is men-  
3 tally and physically capable of performing the duties of his office or posi-  
4 tion. Such member shall annually, at his own expense, be examined by an  
5 impartial physician designated by the retirement authority to determine  
6 such capability" and inserting in place thereof the following words, "un-  
7 less given just cause for dismissal pursuant to bona fide occupational quali-  
8 fications or performance criteria."

1 SECTION 2. Section 4 of Chapter 151B of the General Laws as most  
2 recently amended by Chapter 266 of the Acts of 1983 is hereby amended  
3 by striking the words in subsection 1C, "unless pursuant to any other  
4 general or special law" and inserting in place thereof, "unless based upon  
5 a bona fide occupational qualification or pursuant to any general or special  
6 law."

IN SENATE  
January 12, 1911.

REPORT  
OF THE  
COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR ENDING DECEMBER 31, 1910.

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