

By Mrs. Murray of Cohasset, petition of Mary Jeanette Murray relative to waiving a certain waiting period for benefits under the Employment Security Law for persons unable to travel to work because of emergency weather conditions. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT TO WAIVE A CERTAIN WAITING PERIOD FOR BENEFITS UNDER THE EMPLOYMENT SECURITY LAW FOR THOSE PERSONS UNABLE TO TRAVEL TO WORK BECAUSE OF EMERGENCY WEATHER CONDITIONS.

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

1 Any employee who experienced total or partial unemployment
2 during the period beginning September twenty-seventh, nineteen
3 hundred and eighty-five and ending October third, nineteen
4 hundred and eighty-five, both dates inclusive, because of severe
5 weather conditions or any prohibition on travel by any public
6 official or body, who would otherwise be eligible for benefits
7 under chapter one hundred and fifty-one A of the General Laws,
8 but for the provisions of section twenty-three of said chapter, shall
9 be eligible for such benefits as would otherwise be paid without
10 regard to the provisions of said section. Any claim for benefits
11 under this act shall be filed on or before December thirty-first,
12 nineteen hundred and eighty-five.

13 Notwithstanding the definition of "remuneration" contained in
14 paragraph (3) of subsection (r) of section one of said chapter one
15 hundred and fifty-one A, or any other provision of said chapter,
16 for any employees made eligible for benefits under said chapter
17 because of the provisions of the first paragraph of this act, the
18 term "remuneration" shall not include any payments on account
19 of wage or salary advances for work to be done at a future time,
20 sick leave, personal days or vacation time made to such employee
21 for the period designated in the first paragraph of this act.

22 The provisions of the second sentence of paragraph (1) of
23 subsection (4) of section one of said chapter one hundred and fifty-
24 one A shall not apply to any employee made eligible for benefits
25 by the provisions of this act.

26 Notwithstanding any provision of said chapter one hundred and
27 fifty-one A to the contrary, the division of employment security
28 may make any determination or decide any appeal regarding the
29 applicability of the provisions of the first paragraph of this act
30 to any employee by means of a determination or decision that shall
31 apply to all employees of a particular employer, or to all
32 employees of a particular employer employed at a particular
33 location. Any employee may appeal from such determination or
34 decision on his own behalf pursuant to the provisions for appeal
35 there from contained in said chapter.

36 All payments for the period designated in the first paragraph
37 of this act to employees made eligible for benefits because of the
38 provisions of said paragraph, or to employees otherwise
39 experiencing total or partial unemployment because of severe
40 weather conditions or any prohibition on travel by any public
41 official or body, shall be charged to the solvency account
42 established pursuant to the provisions of section fourteen of said
43 chapter one hundred and fifty-one A; provided that the provisions
44 of this sentence shall not apply in the case of employers who
45 finance benefits pursuant to section fourteen A of said chapter;
46 provided, further that notwithstanding the provisions of section
47 fourteen of said chapter one hundred and fifty-one A, any
48 additional amount charged to the solvency account pursuant to
49 the provisions of this act shall, subject to the rules and regulations
50 of the division of employment security, be chargeable only to those
51 employers who did not pay their employees for the period set out
52 in the first paragraph of this act or any part thereof who could
53 not work because of severe weather conditions or any prohibition
54 on travel by any public official or body during the period set out
55 in the first paragraph of this act.

56 Except as explicitly provided in this act, the provisions of said
57 chapter one hundred and fifty-one A and the rules promulgated
58 thereunder shall apply to all claims made and benefits paid
59 pursuant thereto. The division may adopt rules and regulations
60 to implement the provisions of this act.

61 If funds for the purpose of this act are available from any federal
62 disaster program of the federal government, those funds will be
63 sought and if received will be used to reimburse any charges made
64 to employers of the commonwealth.

The first part of the report is devoted to a description of the work done during the year. It is divided into two main sections, the first of which deals with the general work of the department and the second with the work of the various sections.

The general work of the department during the year has been very satisfactory. The number of students has increased and the quality of the work has improved. The various sections have all done their best and the results have been very good.

The work of the various sections has been as follows: The first section has done very well and has made many valuable contributions. The second section has also done well and has made many valuable contributions. The third section has done well and has made many valuable contributions.

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