

By Mr. Merced of Boston, petition of Nelson Merced and other members of the General Court for legislation to increase the minimum wage for certain employees. Commerce and Labor.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Two.

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AN ACT INCREASING THE MINIMUM WAGE FOR CERTAIN EMPLOYEES.

*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. Chapter 151, Section 1 of the General Laws, as  
2 appearing in the 1988 Official Edition of the Massachusetts  
3 General Laws, is hereby amended by striking out the second  
4 sentence of said section and inserting in place thereof the following  
5 sentence: —

6 A wage of less than five dollars per hour, in any occupation,  
7 as defined in this chapter, shall conclusively be presumed to be  
8 oppressive and unreasonable, wherever the term “minimum wage”  
9 is used in this chapter, unless the commissioner has expressly  
10 approved or shall expressly approve the establishment and  
11 payment of a lesser wage under the provisions of sections seven  
12 and nine.

1 SECTION 2. Said section 1 of said chapter 151 is hereby  
2 further amended by striking out the second sentence, as amended  
3 by section one of this act, and inserting in place thereof the  
4 following sentence: — A wage of less than five dollars per hour,  
5 in any occupation, as defined in this chapter, shall conclusively  
6 be presumed to be oppressive and unreasonable, wherever the  
7 term “minimum wage” is used in this chapter, unless the  
8 commissioner has expressly approved or shall expressly approve  
9 the establishment and payment of a lesser wage under the  
10 provisions of sections seven and nine.

1 SECTION 3. Said section 1 of said chapter 151 is hereby  
2 further amended by striking out the second sentence, as most  
3 recently amended by section two of this act, and inserting in place  
4 thereof the following sentence: —

5 A wage of less than five dollars per hour, in any occupation,  
6 as defined in this chapter, shall conclusively be presumed to be  
7 oppressive and unreasonable, wherever the term “minimum wage”  
8 is used in this chapter, unless the commissioner has expressly  
9 approved or shall expressly approved the establishment and  
10 payment of a lesser wage under the provisions of sections seven  
11 and nine.

1 SECTION 4. Chapter 151, section 2 of the General Laws, as  
2 so appearing, is hereby amended by inserting after the definition  
3 of the word “commissioner” in lines 4 through 6 the following  
4 definitions: —

5 “Employee”, a person currently employed or formerly  
6 employed by an employer;

7 “Employer”, an individual, corporation, partnership, labor  
8 organization, unincorporated association, commercial entity or  
9 any other legal enterprise, public or private, including the  
10 president, treasurer, officers, agents or any person acting directly  
11 or indirectly in the interest of an employer in relation to an  
12 employee, and including one or more establishments or  
13 corporations or other organizational units which perform related  
14 activities, either through unified operation or common control,  
15 for a common business purpose.

1 SECTION 5. Section one of this act shall take effect on July  
2 first, nineteen hundred and ninety-one, section two shall take  
3 effect on July first, nineteen hundred and ninety-two and section  
4 three shall take effect on July first, nineteen hundred and ninety-  
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