

HOUSE No. 2765

By Mr. Bosley of North Adams, petition of Daniel E. Bosley and Christopher J. Hodgkins relative to advance notification of employee separation. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO ADVANCE NOTIFICATION OF EMPLOYEE SEPARATION.

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 151A, Section 71A of the General Laws, as appearing
2 in the 1988 Official Edition, is hereby amended by striking out
3 lines four, five and six and inserting in place thereof the
4 following: —

5 “Advance notification”, a declaration by an employer that a
6 plant closing, either partial or full as defined in this section, will
7 occur. Each employer shall notify in writing the director, all
8 employees of each affected establishment, each affected
9 municipality, and each affected employee organization, at least
10 twelve months prior to the commencement of any separation. In
11 any case where the employer can establish that the separation was
12 not foreseen, the director may approve a shorter period of
13 notification. Approval of such shorter period of notification shall
14 not be granted unless a public hearing is held in each affected
15 municipality. Provisions of any collective bargaining agreement
16 which require greater advance notification than provided by this
17 section shall take precedence over the requirements of this section.
18 Any portion of the required notice may be waived by an agreement
19 with not less than ninety per cent of the affected employees and
20 with each affected employee organization.

