

By Mr. DiMasi of Boston, petition of Salvatore F. DiMasi relative to discriminatory employment practices. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO DISCRIMINATORY EMPLOYMENT PRACTICES.

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 9 of chapter 151B of the General Laws,
2 as appearing in the 1991 Official Edition, is hereby amended by
3 striking out the fourth paragraph and inserting in place thereof
4 the following paragraph: —

5 Any person claiming to be aggrieved by an employment practice
6 made unlawful by section four may bring a civil action pursuant
7 to this section for damages or injunctive relief, or both, and shall
8 be entitled to a trial by jury on all issues regardless of whether
9 equitable relief is sought by a party in such action. If the court
10 finds for the petitioner, recovery shall be in the amount of actual
11 damages; or up to three, but not less than two, times such amount
12 if the court finds that the act or practice complained of was
13 committed with knowledge or reason to know, that such act or
14 practice violated the provisions of said section four. The
15 provisions set forth in the first, second and third paragraphs shall
16 be applicable to such complaint or action to the extent that such
17 provisions do not conflict with the provisions set forth in this
18 paragraph.

1 SECTION 2. The provisions of this act in regard to the right
2 to a jury trial shall apply to all cases pending but not yet tried
3 on the effective date of this act.

