

SENATE. No. 2126

The Commonwealth of Massachusetts

SENATE, February 25, 1998.

The committee on Ways and Means, to whom was committed the Senate Bill to ensure public access to the Division of Employment and Training Services (Senate, No. 50), reports recommending that the same ought to pass, with an amendment substituting a new draft entitled "An act relative to notifying employees of the right to collect unemployment compensation" (Senate, No. 2126).

For the committee,

HENRI S. RAUSCHENBACH.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO NOTIFYING EMPLOYEES OF THE RIGHT TO COLLECT UNEMPLOYMENT COMPENSATION.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to forthwith notify employees of the
3 right to collect unemployment compensation, it is hereby declared
4 to be an emergency law, necessary for the immediate preservation
5 of the public convenience.

*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 62A of chapter 151A of the General
2 Laws, as appearing in section 32 of chapter 88 of the acts of 1997,
3 is hereby amended by striking out subsection (e).

1 SECTION 2. Said section 62A of chapter 151A, as so
2 appearing, is hereby further amended by adding the following
3 subsection:—

4 (g) Each employer shall post at each site operated by the
5 employer, in a conspicuous place, accessible to employees, the
6 following information: the name and mailing address of the
7 employer, the identification number assigned to the employer by
8 said division, instructions on how to file a claim for unemploy-
9 ment compensation, the address and telephone number of the
10 regional office of said division located nearest the work site and
11 the telephone number of the teleclaim information line. Each
12 failure to post the information described herein shall result in a
13 written warning by said division to the employer for a first viola-
14 tion, and thereafter shall result in the assessment of a civil fine of
15 \$100 for a second violation, \$250 for a third violation, and \$500
16 for a fourth and subsequent violations. Said division shall collect
17 all fines assessed for violations of this subsection for deposit into
18 the General Fund.

19 Each employer shall issue to every separated employee, as soon
20 as practicable, but not to exceed 30 days from the last day said
21 employee performed compensable work, written information fur-
22 nished or approved by said division which shall contain the name
23 and mailing address of the employer, the identification number
24 assigned to the employer by said division, instructions on how to
25 file a claim for unemployment compensation, the address and tele-
26 phone number of the regional office which serves the recipient
27 and the telephone number of the teleclaim information. Delivery
28 is made when an employer provides such information to an
29 employee in person or by mail to the employee's last known
30 address. The waiting period under section 23 for an employee who
31 did not receive the information required by this paragraph and
32 who failed to file timely for benefits, shall be the Sunday of the
33 initial week such employee would have been eligible to receive
34 unemployment compensation. Each employer shall have the
35 burden of demonstrating compliance with the provisions required
36 herein.

1 SECTION 3. Section 1 of this act shall take effect as of
2 November 13, 1997.

