

By Mr. Melia of Boston, petition of John F. Melia relative to veterans preference in the construction of public works. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT RELATIVE TO VETERANS PREFERENCE IN THE CONSTRUCTION OF PUBLIC WORKS.

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 149 of the General Laws is hereby amended by striking
2 out section 26, as most recently amended by section 3 of chapter
3 296 of the acts of 1967, and inserting in place thereof the
4 following section:—

5 *Section 26.* In the employment of mechanics and apprentices,
6 teamsters, chauffeurs, and laborers, in the construction by
7 contract, order or requisition of public works by the com-
8 monwealth, or by a county, city, town or district, or by persons
9 contracting or subcontracting for such works, preference shall
10 first be given to citizens of the commonwealth who have been
11 residents of the commonwealth for at least six months at the
12 commencement of their employment who are veterans, as defined
13 in clause forty-three of section seven of chapter four, and are
14 qualified by training and experience to perform the work to
15 which the employment relates; and, secondly, to citizens of the
16 commonwealth for at least six months at the commencement of
17 their employment, and if they cannot be obtained in sufficient
18 numbers, then to citizens of the United States, and in no event
19 may aliens be employed unless citizens may not be obtained in
20 sufficient numbers, and every contract for such work shall
21 contain a provision to this effect. Each county, city, town, or
22 district in the construction of public works, or persons
23 contracting or subcontracting for such works, shall give
24 preference to veterans and citizens who are residents of such

25 county, city, town or district. The rate per hour of the wages paid
26 to said mechanics and apprentices, teamsters, chauffeurs, and
27 laborers in the construction of public works shall not be less than
28 the rate or rates of wages to be determined by the Commissioner
29 as herein provided; provided, that the wages paid to laborers in
30 municipal service of the town or towns where said works are
31 being constructed; provided, further, that if, in any of the towns
32 where the works are to be constructed, a wage rate or wage rates
33 have been established in certain trades, occupations, or
34 classifications by collective agreements or understandings
35 between organized labor and employers, the rate or rates to be
36 paid on said works shall not be less than the rates so established;
37 provided, further, that in towns where no such rate or rates have
38 been so established, the wages paid to mechanics and apprentices,
39 teamsters, chauffeurs, and laborers on public works, shall not be
40 less than the wages paid to the employees in the same trades and
41 occupations by private employers engaged in the construction
42 industry. This section shall also apply to regular employees of the
43 Commonwealth or of a county, city, town or district, when such
44 employees are employed in the construction, addition to or
45 alteration of public buildings for which appropriations of more
46 than one thousand dollars are provided. Payments by employers
47 to health and welfare plans, pension plans, vacation plans,
48 annuity plans, supplementary unemployment benefit plans or
49 other benefit plans under collective bargaining agreements of
50 understandings between organized labor and employers shall be
51 included for the purpose of establishing minimum wage rate as
52 herein provided.

53 Permanent and temporary laborers employed by the State
54 Department of Public Works and by the Metropolitan District
55 Commission shall receive such salary or compensation as may be
56 fixed under and in accordance with sections forty-five to fifty
57 inclusive of Chapter thirty.