

By Ms. Lewis of Bridgewater, petition of Jacqueline Lewis and William R. Keating relative to the retirement rights of managerial employees of the Department of Correction. Public Service.

**The Commonwealth of Massachusetts**

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

AN ACT RELATIVE TO THE RETIREMENT RIGHTS OF MANAGERIAL EMPLOYEES OF THE DEPARTMENT OF CORRECTION.

*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 3 of chapter 32 of the General Laws, as appearing in  
2 the 1994 Official Edition, is hereby amended by inserting after the  
3 word "officer", in line 330, the second time it appears the  
4 following:— "unit manager, director of security, assistant deputy  
5 superintendent, deputy superintendent, superintendent, chief of  
6 investigations, associate commissioner, assistant deputy commis-  
7 sioner, deputy commissioner, commissioner, or any manager in  
8 the Department of Correction with ten years operational experi-  
9 ence in a correctional facility.

10 Said chapter 32 is hereby further amended by striking sec-  
11 tion 28M, as so appearing, and inserting in place thereof the  
12 following section:—

13 Section 28M. Notwithstanding the provisions of sections one  
14 through twenty-eight, inclusive, to the contrary, any employee of  
15 the Department of Correction whose major job responsibilities  
16 include direct inmate care and custody, or supervision of Unit 4  
17 employees, for an aggregate of not less than ten years and who  
18 has performed service in the Department of Correction for not less  
19 than twenty years shall, at his own request, be retired by said  
20 retirement board. For the purposes of this section, "direct inmate  
21 care and custody" shall be construed to include any job responsi-  
22 bilities which involve direct contact with inmates or which

23 involve the same occupational hazards as those faced by  
24 employees classified under Group 4.

25 The retirement allowances under this section shall be same as  
26 those provided for in paragraph (c) of subdivision (3) of section  
27 twenty-six.