

By Mr. Ayers of Quincy, petition of Bruce J. Ayers for legislation to protect the rights of employees who have been appointed to serve as election officers. Election Laws.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT PROTECTING THE EMPLOYMENT RIGHTS OF PERSONS APPOINTED TO SERVE AS AN ELECTIONS OFFICIAL.

*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 22 of Chapter 54 of the General Laws, as appearing in  
2 the 1996 Official Edition, is hereby amended by adding the  
3 following paragraph:—  
4 An employer shall not deprive an election officer of any State  
5 Primary or Election of his employment or any incidents or benefits  
6 thereof, nor shall an employer or corporate manager harass, disci-  
7 pline, threaten or coerce a subordinate employee because such  
8 person has been appointed as an election officer, or in response  
9 thereto performs any obligations or service incumbent on such  
10 appointment. An employer shall not impose compulsory work  
11 assignments upon any election officer-employee nor shall the  
12 employer engage in any other intentional act that substantially  
13 interferes with the availability, effectiveness, attentiveness or peace  
14 of mind of the employee during the performance of his service as  
15 an election officer. Any employer convicted of violating the provi-  
16 sions of this section may be punished by a fine of not more than  
17 five thousand dollars or not more than six months in the house of  
18 correction; or both. Any employer who violates this section shall  
19 also be liable in tort to the election officer-employee. The election  
20 officer-employee may commence a civil action in the superior court  
21 for such damages and injunctive relief as may be appropriate. The  
22 court may award treble damages, court fees and reasonable attor-  
23 ney's fees to the election officer upon a finding of willful conduct  
24 by the employer in violation of this section.

