

Accompanying the third recommendation of the Department of Labor and Industries (House, No. 118). Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO PROHIBIT MANDATORY OVERTIME FOR CERTAIN EMPLOYEES.

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 inserting
2 the following section as Section 19F:

3 *Section 19F.* No employee shall be required by his employer to
4 work in excess of 40 hours per week. Nothing in this section shall
5 prohibit an employee from voluntarily working in excess of 40
6 hours per week.

7 An employer in a constant-process industry may apply to the
8 Commissioner for waiver of this section; and the Commissioner
9 shall grant such waiver if he is satisfied that compliance would do
10 substantial harm to said employer. Such a waiver may be granted
11 for a period up to one year, and may be renewed upon application
12 by the employer.

13 Any person violating this section except in case of an emergency
14 shall be punished by a fine of not less than \$50.00 and not more
15 than \$250.00 for each violation.

16 No employer may require any potential employee to waive his
17 right under this statute as a condition of employment. No employer
18 may require any employee to waive his right under this statute as a
19 condition of continued employment. No employer may discharge,
20 discipline or penalize any employee for exercising his rights under
21 this section.

Approved by the Joint Committee on the Organization of the House of Representatives, June 15, 1900.

The Constitution of the United States

Article I, Section 2, Clause 3

Representatives and direct Taxes shall be apportioned among the several States which may be admitted to or separated from the Union on the basis of one Representative for every thirty thousand Persons; but each State shall have at least one Representative, and no State shall have more Representatives than the number which it may be entitled to in accordance with the foregoing principle. The number of Representatives shall not exceed one for every thirty thousand Persons, but each State shall have at least one Representative, and no State shall have more Representatives than the number which it may be entitled to in accordance with the foregoing principle.