

By Mr. Demers of Chicopee, petition of Richard H. Demers relative to promoting equity in the operation of the employment security program. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO PROMOTE EQUITY IN THE OPERATION OF THE EMPLOYMENT SECURITY PROGRAM.

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 9K of chapter 23 of the General Laws, as
2 most recently amended by section 1 of chapter 610 of the acts of
3 1947, is hereby further amended by striking out the second sen-
4 tence of said section and inserting in place thereof the following
5 sentence: —

6 All persons so appointed or employed shall be selected on a
7 non-partisan merit basis, subject to chapter thirty-one and the
8 rules and regulations made thereunder, and also subject to such
9 rules and regulations consistent therewith as may be adopted by
10 the director; provided that the director may appoint assistant
11 interviewers and intermittent claims clerks whose positions shall
12 not be subject to chapter thirty-one or section nine A of chapter
13 thirty.

1 SECTION 2. Subsection (c) of section 25 of said chapter 151A,
2 as amended by section 19 of chapter 473 of the acts of 1976, is
3 hereby further amended by striking out clause (4).

1 SECTION 3. Section 28A of said chapter 151A, as most
2 recently amended by section 29 of chapter 720 of the acts of 1977, is

3 hereby amended by inserting after subsection (c) the following
4 subsections: —

5 (d) with respect to services performed in an educational,
6 research or principal administrative capacity in an educational
7 institution by an individual, while in the employ of an educational
8 service agency, benefits are denied for the same reasons as benefits
9 are denied to an individual under subsections (a) and (c) of this
10 section.

11 (e) with respect to services performed in any other capacity in
12 an educational institution, other than an institution of higher
13 education as defined in this chapter, by an individual, while in the
14 employ of an educational service agency, benefits are denied for
15 the same reasons as benefits are denied to an individual under
16 subsections (b) and (c) of this section.

17 The term “Educational Service Agency” shall mean a govern-
18 mental agency or governmental entity which is established and
19 operated exclusively for the purpose of providing such service to
20 one or more educational institutions. For the purposes of this
21 section an educational collaborative board established by section
22 4E of chapter 40 of the General Laws is deemed to be an educa-
23 tional service agency within the meaning of this chapter.

1 SECTION 4. Section 45 of said chapter 151A, as most recently
2 amended by chapter 685 of the acts of 1941, is hereby further
3 amended by adding after the first paragraph the following
4 paragraph: —

5 Without limiting the generality of the preceding paragraph for the
6 purposes of fraud prevention, detection, and control, the director
7 may require any employing unit to submit to him such information
8 as he deems necessary for such purposes. For the same purposes, the
9 information so obtained may be transmitted by the director to the
10 commissioners of public welfare and veterans' services and depart-
11 ment heads charged with the administration of laws providing
12 public assistance of similar nature.

1 SECTION 5. This act shall take effect upon passage.