

SENATE No. 81

By Mr. Fitzpatrick, a petition (accompanied by bill, Senate, No. 81) of John H. Fitzpatrick for legislation to further define remuneration under the employment security law. Commerce and Labor.

The Commonwealth of Massachusetts

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

**AN ACT FURTHER DEFINING REMUNERATION UNDER THE
EMPLOYMENT SECURITY LAW.**

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. Chapter one hundred and fifty-one A of the
2 General Laws, as most recently amended by chapter seven
3 hundred and twenty of the acts of nineteen hundred and
4 seventy-seven, is hereby amended by striking out clause (3)
5 of subsection (r) of section one and inserting in place thereof
6 the following new clause: —

7 (r) (3) For the purpose of this subsection, "Remuneration",
8 any consideration, whether paid directly or indirectly, in-
9 cluding salaries, commissions and bonuses, and reasonable
10 cash value of board, rent, housing, lodging, payment in kind
11 and all payments in any medium other than cash, received by
12 an individual (1) from his employing unit, (2) as net earn-
13 ings from self-employment, and (3) as severance payments,
14 dismissal pay, or vacation allowances. Remuneration shall be
15 deemed to have been received in such week or weeks in which
16 it was earned or for such week or weeks, including any
17 fractions thereof, to which it can reasonably be considered to
18 apply. If the length of the period to which the remuneration
19 applies is not clearly identified, such period shall be determined
20 by dividing such remuneration by the amount of the indi-
21 vidual's average weekly wage.

1 SECTION 2. Said chapter one hundred and fifty-one A of the
2 General Laws is hereby further amended by striking out sec-

3 tion twenty-nine A, as appearing in chapter four hundred
4 and twenty-one of the acts of nineteen hundred and forty-nine,
5 and inserting in place thereof the following section: —

6 *Section 29A.* The benefits to which an individual would
7 otherwise be entitled under this chapter shall not be reduced
8 by reason of the fact that such individual received remunera-
9 tion in lieu of wages for any legal holiday as defined in
10 General Laws, chapter four, section seven, clause eighteenth,
11 in any week of his total or partial unemployment.