

By Mr. Koczera of New Bedford, petition of the Construction Division of Teamsters, Joint Council 20, and Robert M. Koczera for legislation to make certain changes in the law regulating the rental of equipment in public works contracts. State Administration.

The Commonwealth of Massachusetts

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

AN ACT MAKING CERTAIN CHANGES IN THE LAW REGULATING THE RENTAL OF EQUIPMENT.

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 27F of Chapter 149, as most recently
2 amended, is hereby further amended by deleting the last sentence
3 and inserting in place thereof the following:— Said rates of wages
4 shall include payments to health and welfare plans, and pension
5 plans, or, if no such plans are in effect between employers and
6 employees, the amount of such payments shall be paid directly to
7 said operators. Nothing in this section shall be construed to permit
8 an employer to offset any contribution to a benefit plan, in whole
9 or in part, against the minimum hourly wage rates required herein.

1 SECTION 2. Section 27G of Chapter 149, as most recently
2 amended, is hereby further amended by adding in the fourth sen-
3 tence, after the words “health and welfare plans,” the
4 following:— and pension plans,.

1 SECTION 3. Section 27G of Chapter 149, as most recently
2 amended, is hereby further amended by adding at the end thereof
3 the following:— Nothing in this section shall be construed to
4 permit an employer to offset any contribution to a benefit plan, in
5 whole or in part, against the minimum hourly wage rates required
6 herein.

1 SECTION 4. Section 27H of Chapter 149, as most recently
2 amended, is hereby further amended by striking the fourth and

3 fifth sentences and inserting in place thereof the following:—
4 Said rates of wages shall include payments to health and welfare
5 plans and pension plans, or if no such plan is in effect between
6 employers and employees, the amount of such payments shall be
7 paid directly to said employees. Whoever pays less than said rates
8 of wages, including payments to health and welfare funds, or pen-
9 sion funds, or the equivalent in wages, on said works, and who-
10 ever accepts for his own use, or for the use of any other person as
11 a rebate, gratuity or in any other guise, any part or portion of said
12 wages or health and welfare funds or pension funds, shall be pun-
13 ished by a fine of not less than one hundred nor more than five
14 hundred dollars.

1 SECTION 5. Section 27H of Chapter 149, as most recently
2 amended, is hereby further amended by inserting at the end
3 thereof the following:— Nothing in this section shall be construed
4 to permit an employer to offset any contribution to a benefit plan,
5 in whole or in part, against the minimum hourly wage rates
6 required herein.