

By Mr. Demers of Chicopee, petition of Richard H. Demers for legislation to make certain changes relative to appeals of unemployment compensation decisions. Commerce and Labor.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty.

AN ACT MAKING CERTAIN CHANGES REGARDING APPEALS OF UNEMPLOYMENT COMPENSATION DECISIONS.

*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 thirty-nine of chapter one hundred fifty-  
2 one A of the General Laws is hereby amended by striking out the  
3 second sentence of subsection (b) thereof.

1 SECTION 2. Chapter one hundred fifty-one A of the General  
2 Laws is hereby amended by striking out section forty and inserting  
3 in place thereof the following: —

4 *Section 40.* A claimant or interested party may file an applica-  
5 tion for a review of such decision. Such application shall be filed  
6 within ten days of the mailing to him of the notice of the decision,  
7 unless it is determined in accordance with procedures described by  
8 the board of review that the claimant or party had good cause for  
9 failing to request a hearing within such time.

1 SECTION 3. Section forty-one of said chapter one hundred  
2 fifty-one A is hereby amended by striking out the first sentence of  
3 subsection(b) and inserting in place thereof the following: —

4 If a review is granted, the board shall inquire whether the direc-  
5 tor's decision was free from any error of law affecting substantial  
6 rights, whether the findings of fact and determinations of the  
7 director or his authorized representative are supported by a pre-

8 ponderance of credible evidence in the record and whether the  
9 director or his authorized representative observed proper proce-  
10 dure in the conduct of the hearing.

1 SECTION 4. Section forty-two of said chapter one hundred  
2 fifty-one A is hereby amended by adding after the first sentence the  
3 following new sentence: —

4 If such aggrieved person fails to file for judicial review within  
5 such time, the court may allow a late filing if it determines that such  
6 person had good cause for failing to file for review within such  
7 time.

1 SECTION 5. Said section forty-two is further amended by  
2 adding, after the eleventh sentence thereof, the following new  
3 sentences: —

4 Any party may file with the court requests for rulings of law, and  
5 the court shall rule on such requests within a reasonable time after  
6 the hearing. The court shall promptly render a written decision  
7 setting forth its reasons and findings with respect to each issue  
8 raised in the case.

1 SECTION 6. Said section forty-two is hereby further amended  
2 by striking out the fourteenth and fifteenth sentences thereof.