

HOUSE No. 2963

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act modernizing municipal personnel systems.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>10/19/2012</i>

HOUSE No. 2963

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 2963) of Stephen Kulik for legislation to further regulate the hiring of certain employees in cities and towns and further regulating the benefits provided for such employees. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act modernizing municipal personnel systems.

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 Section 4I of Chapter 7 is hereby repealed.

2 SECTION 2. Notwithstanding any other law to the contrary, beginning on July 1, 2011
3 the provisions of Chapter 31 shall not apply to the selection, promotion, or discipline any
4 municipal employee. Provided further, that as of said date, at local option, the provisions of
5 Chapter 31 may apply for the initial screening and selection of police officers and firefighters.

6 SECTION 3. Said section 5 of chapter 32 of the General Laws is hereby further amended
7 by striking out the table in paragraph (a) of subdivision (2), as appearing in the 2008 Official
8 Edition, and inserting in place thereof the following table:

9	Per Cent	Group 1	Group 2	Group 4
10	2.5	67 or older	62 or older	57 or older
11	2.375	66	61	56

12	2.250	65	60	55
13	2.125	64	59	54
14	2.0	63	58	53
15	1.875	62	57	52
16	1.750	61	56	51
17	1.625	60	55	50

18 SECTION 4. Chapter 32B § 2(d) shall be amended by inserting the following after the
19 first sentence of the paragraph: “For purposes of this chapter governmental units shall designate
20 whether employees are full-time or part time, based upon the number of hours per week the
21 duties of the particular position require them to work.”

22 Chapter 32B § 7(a) shall be amended by striking the words “an active or retired
23 employee” in the first sentence, and replacing them with the words “a full time employee, as
24 designated by the governmental unit or a retired employee”.

25 Chapter 32B § 7(a) shall be further amended by inserting after the first sentence, “For
26 part time employees, as designated by the governmental unit, who work at least twenty hours per
27 week, regularly in the service of the governmental unit during the regular work week, the
28 governmental unit shall contribute an amount less than fifty percent of the premium. This
29 amount shall be proportionate to the number of hours the employee works, compared to a full
30 time employee performing the same or similar duties, as applied to the fifty percent cost of the
31 premium contributed by the governmental unit for a full time employee. The part time employee
32 shall contribute the remaining cost of the premium.”

33 Chapter 32B § 7(a) shall be further amended by inserting in the last sentence,
34 immediately prior to the word “employee’s” the word “full time” and by adding, immediately
35 after the last sentence “For part time employees the governmental unit shall contribute an amount
36 to pay for the additional premium required for the part time employee’s dependent child who is
37 nineteen years of age or over and mentally or physically incapable of earning his own living, a
38 proportionate share of the cost of such additional coverage as the governmental unit pays toward
39 the regular premium.”

40 Chapter 32B § 7A shall be amended by inserting at the end of the last sentence in the first
41 paragraph the following “;except that for part time employees as designated by the governmental
42 unit who work at least twenty hours per week regularly in the service of the governmental unit,
43 such governmental unit shall contribute only that proportion of the subsidiary or additional rate
44 as the number of hours the part time employee works, compared to a full time employee
45 performing the same or similar duties.”

46 Chapter 3b § 16 (3) shall be amended by inserting at the end of the next to last sentence
47 of the second paragraph the following “; and further provided that part time employees, as
48 designated by the governmental unit who work at least twenty hours a week regularly in the
49 service of the governmental unit may be required to pay an amount greater than fifty percent on
50 the total monthly premium cost or rate, proportionate to the number of hours the employee
51 works, compared to a full time employee performing the same or similar duties, as applied to
52 percentage share of the premium the governmental unit pays toward the total premium cost of
53 employees it designates as full time.

54 SECTION 5. The provisions of Section 111F of Chapter 41 shall not apply to any
55 municipal police officer or firefighter hired after July 1, 2011. Police officers and firefighters
56 hired after that date shall be subject to the provisions of Chapter 152 of the Massachusetts
57 General Laws.

58 SECTION 6. There shall be a special commission to investigate and make
59 recommendations regarding the feasibility and utility of having public employees hired after
60 January 1, 2012 become part of the Social Security System. The commission shall consist of 9
61 members with 5 appointed by the Governor, 2 appointed by the Senate President, and 2
62 appointed by the Speaker of the House. None of the members shall be a current or vested
63 member of a Massachusetts Contributory Retirement System. The commission shall file its
64 report and recommendations to the Governor, Senate President, and Speaker of the House no
65 later than September 1, 2011.