HOUSE DOCKET, NO. 2795 FILED ON: 1/18/2013

HOUSE . . . . . No. 3354

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 relative to contractor accountability.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Mark J. Cusack	*5th Norfolk*	*1/18/2013*

HOUSE DOCKET, NO. 2795 FILED ON: 1/18/2013

HOUSE . . . . . No. 3354

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 3354) of Mark J. Cusack for an investigation by a special commission relative to accountability in labor and services provided by contractors and subcontractors in the Commonwealth. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to contractor accountability.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

There shall be a special commission to study and make recommendations to address concerns about the lack of accountability in contracting and subcontracting of labor and services in the Commonwealth. The commission shall consider the question of whether and how individuals and entities that use contractors and subcontractors to perform labor or services shall be held liable for violations of workplace laws and other workplace abuses related to the provision of those services, including but not limited to violations of the Massachusetts wage laws as provided in sections 148, 148A, 148B, 152A, and 159C, of chapter 149; sections 1, 1A, 15, and 19 of chapter 151; and sections 46A through 46R of chapter 140. The commission shall investigate a variety of structures used by firms today, including but not limited to multi-tiered supply chains and temporary staffing in labor-intensive industries such as retail, construction, building services, hospitality, ports, and health care.

The commission shall consist of 12 members who shall be identified and appointed by the secretary of labor and workforce development and shall include at least 4 representatives of unions and community-based organizations that represent or serve workers in industries where contracting and/or subcontracting are common practices. The secretary shall appoint 1 of the 4 representatives from unions and community-based organizations to chair the commission.

The commission shall report the results of its study and its recommendations, together with drafts of legislation if necessary to carry its recommendations into effect, by filing the report with the clerks of the senate and house of representatives, who shall forward the report to

the joint committee on labor and workforce development and the house and senate committees on ways and means not later than December 31, 2013.