

SENATE No. 2003

Senate, February 6, 2014 – Text of the Senate Bill relative to unemployment insurance reforms
(being the text of Senate, No. 2001, printed as amended)

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Fourteen
—————

An Act relative to unemployment insurance reforms.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to reform forthwith the commonwealth’s unemployment insurance system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Paragraph (2) of subsection (c) of section 189 of chapter 149 of the General
2 Laws, as added by section 109 of chapter 38 of the acts of 2013, is hereby amended by striking
3 out the words “have the same meaning as the term "unemployment insurance taxable wage base”
4 as defined in paragraph (4) of subsection (a) of section 14 of chapter 151A” and inserting in
5 place thereof the following words:- mean \$14,000.

6 SECTION 1A. Paragraph (2) of subsection (r) of section 1 of chapter 151A of the
7 General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the
8 following sentence:- Notwithstanding any general or special law to the contrary, an individual
9 employed as a crewmember on a commercial fishing vessel shall be deemed to be in total
10 unemployment during any period of general closing of the individual's employer’s fishing vessel
11 due to the employer’s inability to conduct fishing operations as a result of federal fisheries

12 management restrictions and the individual performs no wage-earning services whatsoever, and
13 for which he receives no remuneration during those periods of general closing of the individual's
14 employer's fishing vessel.

15 SECTION 1B. Said section 1 of said chapter 151A, as so appearing, is hereby amended
16 by striking out, in lines 327 and 338, the word "sixteen" each time it appears and inserting in
17 place thereof in each instance the following figure:- 20.

18 SECTION 1C. Section 14 of said chapter 151A, as so appearing, is hereby amended by
19 striking out, in lines 39 and 51, the word "twelve" each time it appears and inserting in place
20 thereof in each instance the following figure:- 36.

21 SECTION 1D. Said section 14 of said chapter 151A, as so appearing, is hereby further
22 amended by striking out, in line 56, the words "calendar year" and inserting in place thereof the
23 following words:- 36 consecutive months.

24 SECTION 2. Subsection (a) of said section 14 of said chapter 151A, as so appearing, is
25 hereby amended by striking out paragraph (4) and inserting in place thereof the following
26 paragraph:-

27 (4) "Unemployment insurance taxable wage base", with respect to calendar years
28 beginning on or after January 1, 2015, the term "unemployment insurance taxable wage base"
29 shall mean \$21,000.

30 SECTION 2A. Said section 14 of said chapter 151A, as so appearing, is hereby further
31 amended by striking out, in lines 68 and 228, the word "twelve" each time it appears and
32 inserting in place thereof in each instance the following figure:- 36.

33 SECTION 2B. Said section 14 of said chapter 151A, as so appearing, is hereby further
 34 amended by striking out, in line 167, the words “twelve-months” and inserting in place thereof
 35 the following words:- 36 consecutive month.

36 SECTION 3. Paragraph (1) of subsection (i) of said section 14 of said chapter 151A, as
 37 so appearing, is hereby amended by striking out, in lines 187 and 188, the date “January 1, 2004”
 38 and inserting in place thereof the following date:- January 1, 2015.

39 SECTION 4. Said paragraph (1) of said subsection (i) of said section 14 of said chapter
 40 151A, as so appearing, is hereby further amended by striking out the table and inserting in place
 41 thereof the following table:-

EXPERIENCE RATE TABLE

	UNEMPLOYMENT COMPENSATION FUND RESERVE PERCENTAGE						
	A	B	C	D	E	F	G
	1.65% and over	1.5% or more but less than 1.65%	1.2% or more but less than 1.5%	0.9% or more but less than 1.2%	0.6% or more but less than 0.9%	0.3% or more but less than 0.6%	less than 0.3%
Employer Account Reserve Percentage							
POS % 17 or more	0.56	0.64	0.73	0.83	0.94	1.07	1.21
16.0	0.64	0.73	0.83	0.95	1.08	1.22	1.39
15.0	0.73	0.83	0.94	1.07	1.21	1.38	1.57
14.0	0.81	0.92	1.04	1.18	1.34	1.53	1.73
13.5	0.97	1.10	1.25	1.42	1.61	1.83	2.08
13.0	1.05	1.19	1.35	1.54	1.75	1.99	2.26
12.5	1.13	1.28	1.46	1.66	1.89	2.14	2.43
12.0	1.21	1.37	1.56	1.77	2.01	2.29	2.60
11.5	1.29	1.47	1.67	1.89	2.15	2.45	2.78
11.0	1.37	1.56	1.77	2.01	2.29	2.6	2.96
10.5	1.45	1.65	1.87	2.13	2.42	2.75	3.12
10.0	1.53	1.74	1.98	2.25	2.56	2.91	3.3

9.5	1.61	1.83	2.08	2.36	2.69	3.05	3.47
9.0	1.7	1.93	2.19	2.49	2.82	3.21	3.65
8.5	1.78	2.02	2.29	2.61	2.96	3.37	3.82
8.0	1.85	2.10	2.39	2.72	3.09	3.51	3.99
7.5	1.94	2.20	2.5	2.84	3.23	3.67	4.17
7.0	2.02	2.30	2.61	2.96	3.37	3.82	4.35
6.5	2.09	2.38	2.71	3.08	3.50	3.97	4.51
6.0	2.17	2.47	2.81	3.20	3.63	4.13	4.69
5.5	2.25	2.56	2.91	3.31	3.76	4.28	4.86
5.0	2.34	2.66	3.02	3.43	3.90	4.43	5.04
4.5	2.42	2.75	3.13	3.55	4.04	4.59	5.21
4.0	2.50	2.84	3.23	3.67	4.17	4.74	5.38
3.5	2.58	2.93	3.33	3.79	4.30	4.89	5.56
3.0	2.67	3.03	3.44	3.91	4.44	5.05	5.74
2.5	2.75	3.12	3.54	4.02	4.57	5.20	5.90
2.0	2.82	3.21	3.65	4.14	4.71	5.35	6.08
1.5	2.9	3.3	3.75	4.26	4.84	5.50	6.25
1.0	2.98	3.39	3.85	4.38	4.98	5.65	6.43
0.5	3.06	3.48	3.96	4.5	5.11	5.81	6.60
0.0	3.14	3.57	4.06	4.61	5.24	5.96	6.77
NEG % 0.0 or less	4.22	4.79	5.45	6.19	7.03	7.99	9.08
-1.0	4.58	5.21	5.92	6.72	7.64	8.68	9.86
-3.0	4.95	5.63	6.39	7.27	8.26	9.38	10.66
-5.0	5.32	6.04	6.86	7.8	8.86	10.07	11.44
-7.0	5.68	6.46	7.34	8.34	9.48	10.77	12.23
-9.0	6.05	6.87	7.81	8.88	10.09	11.46	13.02
-11.0	6.42	7.29	8.29	9.42	10.70	12.16	13.81
-13.0	6.78	7.71	8.76	9.95	11.31	12.85	14.6
-15.0	7.15	8.13	9.24	10.49	11.93	13.55	15.39
-17.0	7.52	8.54	9.71	11.03	12.53	14.24	16.18
-19.0	7.88	8.96	10.18	11.57	13.15	14.94	16.97
-21.0	8.25	9.37	10.65	12.11	13.76	15.63	17.76
-23.0 or less	8.62	9.79	11.13	12.65	14.37	16.33	18.55

42 SECTION 4A. Said section 14 of said chapter 151A, as so appearing, is hereby further
43 amended by striking out, in lines 197 and 198, the words "but less than 11.0 positive".

44 SECTION 4B. Said section 14 of said chapter 151A, as so appearing, is hereby further
45 amended by striking out, in line 217, the words "but less than 0.5".

46 SECTION 5. Said section 14 of said chapter 151A, as so appearing, is hereby further
47 amended by inserting after the word “unit”, in line 282, the following words:- and the transferee
48 continues such organization, trade or business.

49 SECTION 5A. Section 14L of said chapter 151A, as so appearing, is hereby amended by
50 striking out, in line 4, the figure “0.075” and inserting in place thereof the following figure:-
51 0.05.

52 SECTION 5B. Said section 14L of said chapter 151A, as so appearing, is hereby further
53 amended by striking out, in line 9, the figure “\$18,000,000” and inserting in place thereof the
54 following figure:- \$22,000,000.

55 SECTION 5C. Said chapter 151A is hereby further amended by inserting after section
56 14P the following section:-

57 Section 14Q. The commissioner may enter into an agreement with the United States
58 Department of the Treasury, under 26 U.S.C. § 6402 (f) and 31 CFR § 285.8, to transmit valid,
59 unpaid and overdue unemployment compensation debts, which are owed to the commonwealth,
60 to the United States Department of the Treasury for collection under the Treasury's offset
61 program. If the commissioner chooses to participate in the Treasury's offset program to recover
62 unemployment compensation debt, the commissioner shall adhere to all rules, policies and
63 guidance as required by the United States Department of the Treasury and the United States
64 Department of Labor in implementing and administering the program. The commissioner may
65 promulgate regulations as needed to implement this section.

66 SECTION 5D. Section 15 of said chapter 151A, as appearing in the 2012 Official
67 Edition, is hereby amended by adding the following subsection:-

68 (f) If an assessment or any administrative decision upon review thereof has become final
69 and the contributions, payments in lieu of contributions, interest or penalties thereby assessed
70 remain unpaid, the commissioner may refer the unpaid and overdue amount to the United States
71 Department of the Treasury for collection, under 26 U.S.C. § 6402, the Treasury's offset
72 program; provided, that all procedures for notice and opportunity to present evidence as required
73 by 31 CFR § 285.8 have been followed.

74 SECTION 6. Subsection (b) of section 19A of said chapter 151A, as so appearing, is
75 hereby amended by adding the following sentence:-

76 An agency or instrumentality of the commonwealth shall not enter into, renew or extend
77 a contract or agreement with any employer to provide goods, services or physical space that has
78 a maximum obligation or value greater than \$5,000 to such agency or instrumentality or
79 authorize any tax credit under chapters 62 and 63 in excess of \$5,000 unless the employer has
80 submitted a certificate of compliance issued by the department showing that it is current in all its
81 obligations relating to contributions, payments in lieu of contributions and the employer medical
82 assistance contribution established in section 189 of chapter 149.

83 SECTION 7. Section 24A of said chapter 151A, as so appearing, is hereby amended by
84 striking out, in line 25, the word "sixteen" and inserting in place thereof the following figure:-
85 20.

86 SECTION 8. Section 25 of said chapter 151A, as so appearing, is hereby amended by
87 striking out, in lines 112 to 114, inclusive, the words "and in each of said weeks has earned an
88 amount equivalent to or in excess of the individual's weekly benefit amount after the individual
89 has left work" and inserting in place thereof the following words:- and has earned an amount

90 equivalent to or in excess of 8 times the individual's weekly benefit amount after the individual
91 has left work.

92 SECTION 8A. Subsection (e) of said section 25 of said chapter 151A, as so appearing, is
93 hereby amended by inserting after the fourth paragraph the following paragraph:-

94 Notwithstanding any general or special law to the contrary, no disqualification shall be imposed
95 if an individual establishes to the satisfaction of the commissioner that the individual is
96 employed as a crewmember of a commercial fishing vessel and is unable to work for a period of
97 time due to the general closing of the individual's employer's fishing vessel for that period of
98 time as a result of the employer's inability to conduct fishing operations because of federal
99 fisheries management restrictions.

100 SECTION 9. Said chapter 151A is hereby further amended by inserting after section 28A
101 the following section:-

102 Section 28B. For the purposes of this section the term "person of influence" shall mean a
103 corporate officer, partner or owner of an employing unit, a person who has more than a 5 per
104 cent equitable or debt interest in an employing unit or an immediate family member of such
105 individuals.

106 If an employee, who is a person of influence, receives an unemployment benefit under
107 this chapter and during the same benefit year resumes or returns to work for the same employing
108 unit, then there shall be a rebuttable presumption that the employee's unemployment was due to
109 circumstances within the employee's control and all benefits paid to the employee during the
110 benefit year shall be considered an overpayment, which the employee shall repay.

111 SECTION 10. Subsection (b) of section 29 of said chapter 151A, as appearing in the
112 2012 Official Edition, is hereby amended by adding the following sentence:-

113 Nothing in this subsection shall cause a full denial of benefits solely because an
114 individual left a part time job, which supplemented primary full-time employment, during the
115 individual's base period prior to being deemed in partial unemployment.

116 SECTION 10A. The second paragraph of subsection (a) of section 38 of said chapter
117 151A, as so appearing, is hereby amended by inserting after the third sentence the following
118 sentence:- If an employer responds within 10 days after such notice was mailed, the
119 commissioner shall have a final determination of the matter within 30 days, unless good cause
120 exists, in which case the commissioner shall send written notice to both the claimant and the
121 employer that good cause exists for the matter not to be decided within 30 days; provided,
122 however, that said written notice shall explain such good cause.

123 SECTION 10B. Subsection (a) of section 39 of said chapter 151A, as so appearing, is
124 hereby amended by striking out the second sentence and inserting in place thereof the following
125 sentence:- The commissioner shall give notice of such determination, together with the reasons
126 for such determination, to the claimant within 30 days of filing the claim, unless good cause
127 exists, in which case the commissioner shall send written notice to both the claimant and the
128 employer explaining such good cause.

129 SECTION 11. Said chapter 151A is hereby further amended by inserting after section
130 47A the following section:-

131 Section 47B. (a) No employer shall discharge, discipline, penalize or in any manner
132 discriminate against any employee because: (i) the employee has filed a claim or instituted or

133 caused to be instituted a proceeding alleging unemployment fraud by the employer; (ii) the
134 employee has testified or is about to testify in any such proceeding alleging unemployment fraud
135 by the employer; or (iii) the employee exercised a right in a matter alleging unemployment fraud,
136 regardless of whether the right was exercised for the employee's benefit or the benefit of a third
137 party.

138 (b) Any employee or former employee aggrieved by a violation of this section may,
139 within 2 years, institute a civil action in the superior court. Each party to the action shall be
140 entitled to a jury trial. In addition to any legal or equitable relief provided herein, all remedies
141 available in common law tort actions shall be available to prevailing plaintiffs. The court may: (i)
142 issue a temporary restraining order or preliminary or permanent injunction to restrain a continued
143 violation of this section; (ii) reinstate the employee to the same position held before the
144 retaliatory action or to an equivalent position; (iii) reinstate full fringe benefits to the employee;
145 (iv) compensate the employee for 3 times the lost wages, benefits and other remuneration and
146 interest thereon; and (v) order payment by the employer of reasonable costs and attorneys' fees.

147 (c) (1) In an action brought by an employee under subsection (b), if the court finds
148 the action was without basis in law or in fact, the court may award reasonable attorneys' fees and
149 court costs to the employer.

150 (2) An employee shall not be assessed attorneys' fees under paragraph (1) if, after
151 exercising reasonable and diligent efforts after filing a suit, the employee moves to dismiss the
152 action against the employer, or files a notice agreeing to a voluntary dismissal, within a
153 reasonable time after determining that the employer would not be found liable for damages.

154 (d) Nothing in this section shall be deemed to diminish the rights, privileges or remedies
155 of any employee under any other federal or state law or regulation, or under any collective
156 bargaining agreement or employment contract; except that the institution of a private action in
157 accordance with subsection (b) shall be deemed a waiver by the plaintiff of the rights and
158 remedies available to the employee, for the actions of the employer, under any other contract,
159 collective bargaining agreement, state law, rule or regulation or under common law.

160 SECTION 11A. Subsection (a) of section 62A of said chapter 151A, as appearing in the
161 2012 Official Edition, is hereby amended by adding the following paragraph:-

162 The department shall conduct not less than 1 public hearing each year to seek the input of
163 employers in the commonwealth. The hearing shall be held at a time and location designated to
164 maximize employer participation. Not fewer than 20 days prior to a public hearing the
165 commissioner shall conspicuously post notice of the time and location of the hearing on the
166 official website of the department and send notice, electronically or otherwise, to: members of
167 the general court; every employer with an account with the department; the Massachusetts
168 Chamber of Commerce, Inc., the Greater Boston Chamber of Commerce; the Massachusetts
169 Taxpayers Association, Associated Industries of Massachusetts, Inc.; and the National
170 Federation of Independent Business.

171 SECTION 11B. Section 69B of said chapter 151A, as so appearing, is hereby amended
172 by adding the following paragraph:- In addition to any other remedy provided by this chapter, the
173 commissioner may request that the amount payable to the department by an individual, which is
174 the result of an overpayment of unemployment benefits, be recouped under the United States
175 Department of the Treasury's offset program in accordance with section 14Q; provided, that said
176 decision has become final under 430 CMR 6.12.

177 SECTION 12. Section 71 of said chapter 151A, as so appearing, is hereby amended by
178 striking out the second paragraph and inserting in place thereof the following paragraph:-

179 Notice of any such redetermination shall be promptly given to the parties entitled to
180 notice of the original determination, in the manner prescribed in this chapter with respect to
181 notice of an original determination. If the amount of benefits would be increased upon such
182 redetermination an appeal therefrom solely with respect to the matters involved in such increase
183 may be filed in the manner and subject to the limitations provided in sections 39 to 40, inclusive.
184 If the amount of benefits would be decreased upon such redetermination, the matters involved in
185 such decrease shall be subject to review in connection with an appeal by the claimant thereon or
186 from any determination upon a subsequent claim for benefits which may be affected in amount
187 or duration by such redetermination. Any proposed decrease or increase of the amount of
188 benefits based upon such a redetermination shall not take effect if any party seeks timely review
189 under subsection (b) of section 39. Subject to the same limitations and for the same reasons, the
190 commissioner may reconsider the determination in any case in which a decision has been
191 rendered by the board of review or a court, and may apply to said board or such court which
192 rendered such decision to revoke or modify such decision and the board of review or court may
193 affirm, modify or revoke such decision.

194 SECTION 13. Notwithstanding section 14 of chapter 151A of the General Laws, for
195 calendar year 2014, the experience rate of an employer qualifying under subsection (b) of said
196 section 14 of said chapter 151A shall be the rate in column "E" in paragraph (1) of subsection (i)
197 of said section 14 of said chapter 151A.

198 SECTION 14. Notwithstanding section 14 of chapter 151A of the General Laws, for
199 calendar year 2015, the experience rate of an employer qualifying under subsection (b) of said
200 section 14 of said chapter 151A shall be the rate in column “C” in paragraph (1) of subsection (i)
201 of said section 14 of said chapter 151A.

202 SECTION 15. Notwithstanding section 14 of chapter 151A of the General Laws, for
203 calendar year 2016, the experience rate of an employer qualifying under subsection (b) of said
204 section 14 of said chapter 151A shall be the rate which appears in column “A” of paragraph (1)
205 of subsection (i) of said section 14 of said chapter 151A; provided however, if the rate appearing
206 in said column “A” is projected to result in a balance in the Unemployment Compensation Fund
207 of less than \$250,000,000, or greater as needed to ensure the minimum solvency of the
208 Unemployment Compensation Fund, at the end of calendar year 2016, then the secretary of labor
209 and workforce development shall submit a report to the clerks of the house of representatives and
210 senate, the house and senate chairs of the joint committee on labor and workforce development
211 and the house and senate chairs of the committees on ways and means, not later than December
212 31, 2015, with recommendations on the necessary rate change according to the rates set under
213 said paragraph (1) of said subsection (i) of said section 14 of said chapter 151A to maintain an
214 end of calendar year 2016 balance of \$250,000,000, or greater as needed to ensure the minimum
215 solvency of the Unemployment Compensation Fund; provided, further that said recommended
216 rate change shall not exceed the rate set forth in column “C” of said paragraph (1) of said
217 subsection (i) of said section 14 of said chapter 151A.

218 SECTION 16. Notwithstanding section 14 of chapter 151A of the General Laws, for
219 calendar year 2017, the experience rate of an employer qualifying under subsection (b) of said

220 section 14 of said chapter 151A shall be the rate in column “C” in paragraph (1) of subsection (i)
221 of said section 14 of said chapter 151A.

222 SECTION 16A. The department of unemployment assistance shall investigate the
223 feasibility of and design a pilot program to provide skills training internships with employers in
224 the commonwealth for residents who are unemployed and are receiving unemployment insurance
225 benefits under chapter 151A of the General Laws.

226 The department shall file a report with the clerks of the senate and house of
227 representatives, not later than January 2, 2015, which: (i) reviews existing federal and state laws,
228 regulations and policies governing eligibility for unemployment insurance, unpaid internships,
229 wages and hours and workers’ compensation insurance; (ii) develops a pilot program, which
230 complies with applicable laws and regulations; (iii) outlines eligibility requirements for persons
231 and businesses to participate in the pilot program; (iv) investigates procedures to ensure that
232 interns do not displace or adversely affect the wages, hours or other benefits held by existing
233 employees; (v) recommends specific industries or businesses in the commonwealth for
234 participation in the pilot program; (vi) examines methods or incentives to encourage
235 participation in the pilot program; (vii) considers benchmarks and reporting standards to
236 measure successful outcomes; and (viii) explores any other measures it deems necessary for a
237 skills training internship pilot program, including the cost of implementation.

238 SECTION 16B. (a) There shall be a special commission to conduct an investigation and
239 study of the activities and efficacy of the adjudication of unemployment insurance claims by the
240 department of unemployment assistance. The commission shall consist of the following 11
241 members: 2 members appointed by the state auditor, both of whom shall have experience with

242 the adjudication of unemployment disputes and 1 of whom shall serve as the chair; the house and
243 senate chairs of the joint committee on labor and workforce development; 1 member of the
244 senate or their designee, who shall be appointed by the minority leader of the senate; 1 member
245 of the house of representatives or their designee, who shall be appointed by the minority leader
246 of the house of representatives; the director of the department of unemployment assistance, or a
247 designee; the president of the Massachusetts Taxpayer's Foundation, or a designee; the executive
248 vice-president of the Massachusetts AFL-CIO, or a designee; an executive vice-president of
249 Associated Industries of Massachusetts, or a designee; and the executive director of the
250 Massachusetts Municipal Association, or a designee.

251 (b) The study shall include, but shall not be limited to: (1) the number of claims received
252 by the department of unemployment assistance quarterly since January 1, 2010 and the resulting
253 status of each claim, including, but not be limited to (i) the results of any initial determination
254 about the claim, (ii) the results of any appeal from the initial determination, (iii) the number of
255 rulings reversed through the appeals and review process, (iv) the number of claims arising under
256 clauses (1) and (2) of subsection (e) of section 25 of chapter 151A of the General Laws and (v)
257 the number of claims settled in favor of the claimant and in favor of the employer;

258 (2) the average length of time of the appeal and review process from initial determination
259 to final disposition;

260 (3) the procedures used by the department to hire and train new employees who
261 implement sections 39 through 41, inclusive, of said chapter 151A, including a determination as
262 to whether or not employment procedures, under section 9K of chapter 23 of the General Laws,
263 have been followed; and

264 (4) recommendations of the commission relative to: (i) procedures through which the
265 department may produce a quarterly report of the number of active claims and the status of said
266 claims to be posted on the department's website; (ii) procedures through which any current
267 backlog of cases may be fairly and efficiently resolved and avoided in future department
268 proceedings; (iii) procedures through which oversight and quality control principles may be
269 implemented to ensure the continuing prompt, equitable and transparent application of current
270 law by the commissioner and the board of review; (iv) a complete review of the current statutes
271 and regulations relative to the implementation of chapter 151A of the General Laws and any
272 recommendations as to possible legislative reforms and streamlined procedures, including, but
273 not limited to, recommendations and procedures for the uniform and effective implementation of
274 section 25 of said chapter 151A.

275 (c) The commission may request from all state agencies such information and assistance
276 as the commission may require. The commission shall report the results of its investigation and
277 study, together with drafts of legislation, if any, necessary to carry out its recommendations, by
278 filing the same with the clerks of the senate and house of representatives, who shall forward the
279 same to the joint committee on labor and workforce development and the house and senate
280 committees on ways and means on or before December 31, 2014. The report shall be made
281 available to the public on the general court's website.

282 SECTION 16C. There shall be a special commission created to conduct an investigation and a
283 study on the impact of unemployment on: (i) unemployment claimants who are over the age of 40; (ii)
284 unemployment claimants experiencing long-term unemployment; and (iii) unemployment claimants over
285 the age of 40 experiencing long-term unemployment. For the purposes of this section, the term "long-
286 term unemployment" shall mean unemployment lasting longer than 27 weeks.

287 The commission shall consist of 15 members: the house and senate chairs of the joint committee
288 on economic development and emerging technologies, who shall serve as co-chairs of the commission;
289 the house and senate chairs of the joint committee on labor and workforce development; the secretary of
290 labor and workforce development or a designee; the secretary of housing and economic development or a
291 designee; the secretary of elder affairs or a designee; a representative of the federal reserve bank of
292 Boston; the attorney general or a designee; a representative of Operation A.B.L.E. of Greater Boston; a
293 representative of the Massachusetts Association of Chamber of Commerce Executives; 1 member who
294 shall be appointed by the governor who shall be a health care expert with a specialty in gerontology; a
295 representative from the National Association of Elder Law Attorneys or a designee; and 2 members
296 associated with universities, each of whom shall have expertise in economics and employment and 1 of
297 whom shall be appointed by the minority leader of the senate and 1 of whom shall be appointed by the
298 minority leader of the house of representatives. The commission shall consult with a representative of a
299 regional employment board for each county of the commonwealth, a representative of the AARP, the
300 United States department of labor, employment and training division and the Sloan Center on Aging and
301 Work at Boston College.

302 The study shall include, but not be limited to: (i) the economic and social cost of older, long-term
303 unemployed or both older and long-term unemployed workers; (ii) an analysis of the unemployment
304 system of the commonwealth specific to the effectiveness of existing laws and programs in providing
305 retraining or re-employment opportunities to older, long-term unemployed or both older and long-term
306 unemployed workers; (iii) the effect of the length of unemployment on the older worker; and (iv) the
307 likelihood that the older worker will be offered job retraining opportunities and return to full employment.
308 The commission shall make recommendations for possible changes to programming for older, long-term
309 unemployed or both older and long-term unemployed workers, including an outline of possible pilot
310 programs or supplemental unemployment programs focused on older, long-term unemployed or both
311 older and long-term unemployed workers.

312 The commission shall report the results of its investigation and study, together with drafts of
313 legislation, if needed, to implement its recommendations, by filing the report with the clerks of the senate
314 and house of representatives, the joint committee on economic development and emerging technologies,
315 the joint committee on labor and workforce development, the joint committee on elder affairs and the
316 house and senate committees on ways and means, not later than January 31, 2015.

317 SECTION 17. Sections 1, 1C, 1D, 2, 2A, 2B, 3, 4, 4A, 4B, 5A, 5B and 14 shall take
318 effect on January 1, 2015.

319 SECTION 18. Section 13 shall take effect as of January 1, 2014.

320 SECTION 19. Section 15 shall take effect on January 1, 2016.

321 SECTION 20. Section 16 shall take effect on January 1, 2017.

322 SECTION 21. Unless otherwise provided, this act shall take effect 6 months after the
323 effective date of this act.