

# HOUSE . . . . . No. 4779

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## The Commonwealth of Massachusetts

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House of Representatives, December 29, 2016.

The committee on Ways and Means, to whom was referred the Senate Bill to further define standards of employee safety (Senate, No. 2190), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4779.

For the committee,

BRIAN S. DEMPSEY

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## The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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By striking out all after the enacting clause and inserting in place thereof the following:—

1           SECTION 1. Subsection (b) of section 6½ of chapter 149 of the General Laws, as  
2     appearing in the 2014 Official Edition, is hereby amended by inserting after the words “safety  
3     advocacy organization”, in lines 21 and 22, the following:- ; the president of the Massachusetts  
4     Municipal Association, Inc. or a designee; the president of the the Massachusetts Highway  
5     Association or a designee; the president of the Massachusetts Association of School Committees,  
6     Inc. or a designee; the president of the Massachusetts Association of School Superintendents,  
7     Inc. or a designee; the president of the New England Water Works Association, Inc. or a  
8     designee; the president of the Massachusetts Municipal Management Association or a designee.

9           SECTION 2. Said chapter 149 is hereby further amended by inserting, after said section  
10    6½, the following section:-

11           Section 6¾. (a) This section shall not apply to places of employment subject to section  
12    6½. The department, after consulting with the advisory board established by subsection (b), shall  
13    adopt regulations that shall provide at least the level of protection to employees that is provided  
14    under the federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et. seq., including  
15    standards and provisions of the general duty clause contained in 29 U.S.C. 654. In the absence of  
16    a state regulation, the department shall apply the applicable provisions of that act.

17           (b) The attorney general may bring a civil action for declaratory or injunctive relief to  
18   enforce this section.

19           SECTION 2. This act shall take effect on July 1, 2017.