

HOUSE No. 4779

The Commonwealth of Massachusetts

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

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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.