

**HOUSE . . . . . No. 1041**

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The Commonwealth of Massachusetts

PRESENTED BY:

*RoseLee Vincent*

*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 fast food employee holiday pay.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	<i>1/17/2017</i>

**HOUSE . . . . . No. 1041**

By Ms. Vincent of Revere, a petition (accompanied by bill, House, No. 1041) of RoseLee Vincent relative to compensation of certain employees on holidays. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to fast food employee holiday pay.

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

1 Chapter 136 of the General Laws is hereby amended by adding the following section:-

2 Section 16A. All fast-food restaurants may be open at any time on Memorial Day, July  
3 Fourth, Labor Day, Thanksgiving and Christmas. The performance of labor, business and work  
4 directly connected to fast-food sales on these days shall also be allowed. Any fast-food restaurant  
5 shall compensate all employees engaged in the work performed on Memorial Day, July Fourth,  
6 Labor Day, Thanksgiving and Christmas, excepting those bona fide executive or administrative  
7 or professional persons earning more than 200 hundred dollars a week, at a rate not less than 1  
8 and 1/2 times the employee's regular rate. No employee engaged in work subject to this section  
9 shall be required to perform such work, and refusal to work for any fast-food establishment on  
10 Memorial Day, July Fourth or Labor Day, Thanksgiving and Christmas shall not be grounds for  
11 discrimination, dismissal, discharge, reduction in hours, or any other penalty. This paragraph

12 shall be enforced by the attorney general. Any violation of this section shall be punished by a  
13 fine of not more than \$1,000 dollars.

14 The terms “Memorial Day,” “July Fourth,” “Labor Day,” “Thanksgiving” and  
15 “Christmas” shall mean the legal holidays on which said days are celebrated in accordance with  
16 section 7 of chapter 4. To the extent that this section is inconsistent with any general or special  
17 law, this section shall control.