HOUSE . . . . . No. 3703

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 18, 2017.

The committee on Labor and Workforce Development to whom was referred the petition (accompanied by bill, House, No. 3158) of James J. O'Day and others for legislation to further define standards of employee safety, reports recommending that the accompanying bill (House, No. 3703) ought to pass.

For the committee,

PAUL BRODEUR.

HOUSE DOCKET, NO. FILED ON: 5/16/2017

HOUSE . . . . . No. 3703

The Commonwealth of Massachusetts

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

An Act to further define standards of employee safety.

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

SECTION 1. Subsection (b) of section 6 ½ of chapter 149 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the words "safety advocacy organization", in lines 21 and 22, the following:- the president of the Massachusetts Municipal Association, Inc. or a designee; the president of the Massachusetts Highway Association or a designee; the president of the Massachusetts Association of School Committees, Inc. or a designee; the president of the Massachusetts Association of School Superintendents, Inc. or a designee; the president of the New England Water Works Association, Inc. or a designee; the president of the Massachusetts Municipal Management Association or a designee.

SECTION 2. Said chapter 149 is hereby further amended by inserting, after said section 6 ½ , the following section:-

Section 6¾. (a) This section shall not apply to places of employment subject to section 6½. The department, after consulting with the advisory board established by subsection (b), shall adopt regulations that shall provide at least the level of protection to employees that is provided

under the federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et. seq., including standards and provisions of the general duty clause contained in 29 U.S.C. 654. In the absence of a state regulation, the department shall apply the applicable provisions of that act.

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

SECTION 3. This act shall take effect 90 days after it is enacted.