

SENATE No. 1024

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 the status of newspaper delivery persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/21/2017</i>

SENATE No. 1024

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 1024) of Joan B. Lovely and Bruce E. Tarr for legislation relative to the status of newspaper delivery persons. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act relative to the status of newspaper delivery persons.

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 149, Section 148B, of the Massachusetts General Laws is hereby amended by
2 adding a new paragraph (f), to read as follows:

3 (f) Newspaper delivery persons. Newspaper delivery persons shall not be considered
4 employees under this chapter, Chapter 151A, or Chapter 152 if: (1) such person is engaged in the
5 trade or business of the delivering or distribution of newspapers or shopping news (including any
6 services directly related to such trade or business); (2) substantially all the remuneration
7 (whether or not paid in cash) for the performance of the services described in paragraph (a) of
8 this subdivision is directly related to sales or other output (including the performance of services)
9 rather than to the number of hours worked; and (3) the services performed by the person are
10 performed pursuant to a written contract between such person and the person for whom the
11 services are performed, and such contract provides that person will not be treated as an employee
12 with respect to such services for federal tax purposes.