

# SENATE . . . . . No. 1902

## The Commonwealth of Massachusetts

PRESENTED BY:

*Joseph A. Boncore*

*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 aviation worker training.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2017</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>1/26/2017</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/26/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/26/2017</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>1/30/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/30/2017</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/30/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/30/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>1/30/2017</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>	<i>1/30/2017</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/30/2017</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	<i>1/31/2017</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/2/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/3/2017</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/3/2017</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/3/2017</i>

**SENATE . . . . . No. 1902**

By Mr. Boncore, a petition (accompanied by bill, Senate, No. 1902) of Joseph A. Boncore, Jack Lewis, Diana DiZoglio, Danielle W. Gregoire and other members of the General Court for legislation relative to aviation worker training. Transportation.

**The Commonwealth of Massachusetts**

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

An Act relative to aviation worker training.

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

1           1)     ALM Spec L ch. S73, § 1 is hereby amended to include 4 new subsections  
2 following the word “functions,” to read as follows:

3           (q) The term “Covered Passenger or Cargo Handling Services” shall include Baggage  
4 handling; Passenger air carrier servicing; Passenger handling; Passenger security screening;  
5 Passenger airfield ground transportation; Cabin cleaning; Cargo and mail services; Flight crew  
6 transportation; Escort service; Collection of fees; and Aircraft deicing.

7           (r) The term “Covered Passenger or Cargo Handling Service Employee” shall mean any  
8 employee who performs any Covered Passenger or Cargo Handling Services at Logan Airport.

9           (s) The term “Covered Passenger or Cargo Handling Service Provider” shall mean any  
10 person or entity that employs Covered Passenger or Cargo Handling Services Employees to  
11 provide one or more Covered Passenger or Cargo Handling Services on contracts with air  
12 carriers at Logan Airport.

13 (t) The term “approved safety and emergency preparedness training provider” shall mean  
14 an entity that: (1) has no less than ten (10) years of experience providing safety and emergency  
15 preparedness training;(2) has a director or co-director that: (i) has demonstrated standards of  
16 good character, integrity and trustworthiness;(ii) has a minimum of three years’ experience as a  
17 police officer, peace officer or security guard; and (iii) possesses advanced academic credentials  
18 relating to public safety; (3) has instructors who are certified by the American Heart Association  
19 or the Red Cross as an instructor in Basic Cardiopulmonary Resuscitation (CPR), Automated  
20 External Defibrillator (AED) machine usage and Basic First Aid; and (4) which has been  
21 approved to provide a safety and emergency preparedness training course or courses as set forth  
22 in Section 3C of this Chapter.

23 2) ALM Spec L ch. S73 is hereby amended to create a new §3C, to read as follows:

24 3C C

25 a) In addition to any other employee training required under applicable Federal or  
26 State law or regulations, all Covered Passenger or Cargo Handling Service Providers shall  
27 provide a forty (40) hour safety and emergency preparedness training to all Covered Passenger or  
28 Cargo Handling Service Employees. The initial training shall be completed within sixty (60)  
29 days of hire for new employees and within one hundred eighty (180) days of enactment of this  
30 Section for existing employees. Following the initial training, each Covered Passenger or Cargo  
31 Handling Service Employee shall be provided annually with an eight (8) hour refresher training.  
32 Such trainings shall be provided by an approved safety and emergency preparedness training  
33 provider at no expense to the Covered Passenger or Cargo Handling Service Employee. All  
34 Covered Passenger or Cargo Handling Service Employees shall be compensated at their regular

35 hourly rate for the time spent participating in the trainings. The trainings shall cover, without  
36 limitation, the following subjects:

37 (1) Understanding the roles of various agencies and businesses at the airport;

38 (2) Emergency situations and response procedures; appropriate prevention and  
39 response methods to emergencies including fire, chemical spills, terrorist threats, workplace  
40 violence, medical emergencies, biohazards, and natural disasters, including evacuation and  
41 disaster recovery;

42 (3) Developing observation, detection, customer service and reporting skills that can  
43 help detect, prevent and respond to incidents;

44 (4) What is expected of workers during an incident;

45 (5) Basic Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator  
46 (AED) machine usage and Basic First Aid;

47 (6) Communications protocols that connect Covered Passenger or Cargo Handling  
48 Service Employees to the broader airport community to ensure they have the information they  
49 need to play the roles they need to play;

50 b) In order to be approved by the Authority, the safety and emergency preparedness  
51 training provider shall file a copy of the proposed curriculum(s) with the Authority. The  
52 curriculum(s) shall be in a form prescribed by the Authority and shall include, but not be limited  
53 to: (1) the name of the safety and emergency preparedness training provider; (2) a chronological  
54 listing of topics, including the date, time and number of hours allotted to each topic; and (3) the  
55 names of the school director and co-director (if applicable) as well as the safety and emergency

56 preparedness training instructor(s) and the type of instructor certification(s) held by each safety  
57 and emergency preparedness training instructor and school director or co-director if such school  
58 director or co-director holds instructor certification(s). The Authority may require any additional  
59 information deemed necessary for the purposes of approving a safety and emergency  
60 preparedness training, including the determination of the good character, integrity and  
61 trustworthiness of the applicant. The Authority shall provide a written approval of a safety and  
62 emergency preparedness training to be conducted when a determination has been made that the  
63 information provided warrants such approval.

64 c) All Covered Passenger or Cargo Handling Service Providers shall submit the  
65 following information to the Authority on the fifteenth (15th) day of the third calendar month  
66 following enactment of this Section , and subsequently on the fifteenth (15th) day of every third  
67 calendar month:

68 (1) A sworn statement certifying compliance with the requirements of this Section;

69 (2) A list of all Covered Passenger or Cargo Handling Service Employees, indicating  
70 which of those employees were hired during the previously completed three (3) calendar months;

71 (3) A certified list of all Covered Passenger or Cargo Handling Service Employees  
72 that completed an approved forty (40) hour safety and emergency preparedness training during  
73 the previously completed (3) calendar months;

74 (4) A certified list of all Covered Passenger or Cargo Handling Service Employees  
75 that completed an approved eight (8) hour safety and emergency preparedness refresher training  
76 during the previously completed (3) calendar months.

77           d)     For failure to comply with the requirements of this Section, a Covered Passenger  
78 or Cargo Handling Service Provider shall be punished by the Authority for each such failure as  
79 follows:

80           (1)     First offense - by a warning or fine not to exceed \$ 500.00

81           (2)     Second offense by a fine not less than \$ 500.00 and not more than \$ 1000.00.

82           (3)     Third or subsequent offense by a fine not less than \$ 1000.00 and not more than \$  
83 2000.

84           (4)     In addition to the penalties set forth above, for failure to comply with this Section,  
85 the Authority may terminate the Covered Passenger or Cargo Handling Service Provider's  
86 operating agreement or suspend the Covered Passenger or Cargo Handling Service Provider's  
87 right to perform services at Logan for a period of time to be determined by the Authority.