

**HOUSE . . . . . No. 4742**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Patrick Joseph Kearney*

*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 providing protection for police and fire municipality workers in the COVID-19 emergency.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>4/21/2020</i>

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By Mr. Kearney of Scituate, a petition (subject to Joint Rule 12) of Patrick Joseph Kearney relative to providing protection for municipal police and fire workers during the COVID-19 emergency. Labor and Workforce Development.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act providing protection for police and fire municipality workers in the COVID-19 emergency.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to allow police and fire personnel who have a full-time, live-in dependent(s) who are medically documented as immune-compromised, or, who have chronic lung disorder to have alternative no-contact assignments, or, to remain out of work without loss of pay or benefits providing the municipality with proper medical documentation. These employees are considered essential under the COVID-19 emergency order of 2020, a higher risk of severe illness, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and health.

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

1           SECTION 1. 1. Notwithstanding chapter 149 of the General Laws or any other special or  
2 general law to the contrary, 2. any employer that that provides "COVID-19 Essential Services"  
3 as 3 defined in the Governor's March 23, 2020 emergency order ("COVID-19 Order No. 13") or  
4 in 4 the Governor's March 31, 2020 extension order ("COVID-19 Order No. 21"), or under any  
5 order 5 further extending these , shall provide alternative no-contact assignment or time off  
6 without loss of pay or benefits as further defined in the following

7           SECTION 2. No employee who is a caregiver for full-time, live-in dependents who are  
8 medically documented as immune-compromised or have chronic lung disorder who makes a  
9 refusal to work for any establishment shall not be grounds for discrimination, dismissal,  
10 discharge, reduction in hours, or any other penalty.

11           SECTION 3. The provisions of this law shall be enforced by the office of the attorney  
12 general pursuant to her authority under Section 150 of Chapter 149. Under this law an employee  
13 who has used sick time, personal time, or vacation time with medical documentation will  
14 retroactively have that time replaced to their accrued time bank. This time will retroactively be  
15 applied from the hour of the Governor's 25 emergency order on March 23, 2020