

SENATE No. 211

The Commonwealth of Massachusetts

PRESENTED BY:

Eric P. Lesser

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 establishing a portable benefits for independent workers innovation fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/30/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/30/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/30/2019</i>

SENATE No. 211

By Mr. Lesser, a petition (accompanied by bill, Senate, No. 211) of Eric P. Lesser, Paul R. Feeney, Jason M. Lewis and José F. Tosado for legislation to establish a portable benefits for independent workers innovation fund. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

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

An Act establishing a portable benefits for independent workers innovation fund.

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. The general laws, as appearing in the 2016 official edition, are hereby
2 amended by inserting after chapter 151F the following new chapter:–

3 CHAPTER 151G

4 PORTABLE BENEFITS FOR INDEPENDENT WORKERS INNOVATION FUND

5 Section 1. The purpose of this chapter is to establish a statewide program that will
6 encourage employers and organizations to innovate and establish portable benefits systems for
7 workers in the commonwealth in order to ensure dignity and security for workers and their
8 families in a rapidly changing economy.

9 Section 2. As used in this section, the following words shall have the following meanings
10 unless the context clearly requires otherwise:

11 “Eligible organization”, any local government or any nonprofit organization.

12 “Eligible work”, any work performed that is not in connection with traditional full-time
13 employment.

14 “Eligible worker”, any worker who is not a traditional full-time employee of the entity
15 hiring the worker for the eligible work, including any independent contractor, contract worker,
16 self-employed individual, freelance worker, temporary worker, or contingent worker.

17 “Portable benefits”, work-related benefits that are provided to eligible workers for
18 eligible work in a manner that allows the worker to maintain the benefits upon changing jobs and
19 includes: (i) contributions on behalf of the eligible worker made by an entity or entities in
20 connection with eligible work performed by the worker for the entity; (ii) contributions made by
21 the eligible worker; or (iii) a combination of the contributions described in clauses (i) and (ii).

22 “Secretary”, the secretary of labor and workforce development.

23 “Work-related benefits,” benefits, including protections, of a type that are commonly
24 provided to traditional full-time employees, such as workers’ compensation, skills training,
25 disability coverage, health insurance coverage, retirement saving, income security, and short-
26 term savings.

27 Section 3. (a) The secretary, in consultation with the head of any other relevant
28 department or office, shall establish a portable benefits for independent workers innovation fund
29 and grant program. Said grants shall be awarded on a first come, first served, competitive basis
30 to eligible organizations to support broad innovation and experimentation with respect to
31 portable benefits.

32 (b) Said grants, awarded under subsection (a) of this section, shall be used for the
33 following purposes: (i) the evaluation, or improvement to the design or implementation, of
34 existing models or approaches for providing portable benefits; or (ii) the design, implementation,
35 and evaluation of new models or approaches for providing said portable benefits.

36 (c) An eligible organization that receives a grant under subsection (a) may not use said
37 grant to fund a model or approach described in subsection (b) that provides only for retirement-
38 related benefits.

39 (d) In awarding grants under subsection (a), the secretary shall consider the potential of
40 the model or approach described in subsection (b) to be replicated on a statewide level.

41 (e) The secretary, in consultation with the head of any other relevant department or
42 agency, shall establish an application process for the portable benefits for independent workers
43 innovation fund grant program and any eligible organization may submit an application for said
44 grant to the secretary on an annual basis.

45 Section 4. On or before March 1, 2020, the secretary shall submit a report to the house
46 and senate committee on ways and means, the house and senate chairs of the joint committee on
47 economic development and emerging technologies, and the house and senate chairs of the joint
48 committee on labor and workforce development evaluating the implementation of this chapter
49 and outcome of the grants awarded under section 2. Said report shall include, but not be limited
50 to (i) an assessment of the impact of said grants on the compensation of workers receiving
51 portable benefits under section 2; (ii) a description and evaluation of each grant recipient's
52 existing or new models or approaches for providing portable benefits; and (iii) any
53 recommendations for changes to said grant program.

54 SECTION 2. The secretary, in consultation with the head of any other relevant
55 department or office, shall promulgate regulations pursuant to this chapter not later than 90 days
56 following the passage of this act.

57 SECTION 3. This act shall take effect beginning in fiscal year 2020.