

**HOUSE . . . . . No. 2020**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Elizabeth A. Malia and Liz Miranda*

*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 transparency in the workplace.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/16/2021</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>2/19/2021</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/23/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/23/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/23/2021</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>2/23/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/23/2021</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>2/24/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/26/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>2/26/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/26/2021</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>2/26/2021</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/26/2021</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/26/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/26/2021</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>3/1/2021</i>

<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>3/1/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>3/2/2021</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>3/5/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>3/10/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>3/24/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>4/1/2021</i>
<i>Brandy Fluker Oakley</i>	<i>12th Suffolk</i>	<i>5/12/2021</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>5/17/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>5/19/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>5/21/2021</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>5/21/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>5/21/2021</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>5/25/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>6/10/2021</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>6/17/2021</i>
<i>Meghan Kilcoyne</i>	<i>12th Worcester</i>	<i>10/14/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/14/2022</i>

**HOUSE . . . . . No. 2020**

By Representatives Malia of Boston and Miranda of Boston, a petition (accompanied by bill, House, No. 2020) of Elizabeth A. Malia, Liz Miranda and others relative to wage transparency in the workplace. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-Second General Court  
(2021-2022)

An Act relative to transparency in the workplace.

*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. Chapter 149 of the General Laws, as appearing in the 2018 Official  
2 Edition, is hereby amended by inserting after section 105A the following section:--

3 Section 105A½. (a) As used in this section, the following words, unless the context  
4 clearly requires otherwise, shall have the following meanings:

5 “Covered Employer,” shall mean a private and nonprofit entity employing 100 or more  
6 full-time employees in Massachusetts any time during the prior calendar year; the Governor of  
7 the Commonwealth of Massachusetts; and mayors and town administrators with 100 or more  
8 full-time employees any time during the prior calendar year.

9 “EOLWD” shall mean the executive office of labor and workforce development.

10 “Secretary” shall mean the secretary of labor and workforce development under chapter  
11 23.

12 “Employee” shall mean a full-time, year-round employee.

13 “Total compensation” shall mean salary and all additional money paid the employee  
14 during the prior calendar year.

15 “Employees of color” shall include employees identified as American Indian or Alaska  
16 Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or Other Pacific  
17 Islander, two or more races, and unknown.

18 (b) On or before April 1, 2022, and on or before April 1st each year thereafter, a covered  
19 employer shall submit a wage data report to the EOLWD covering the prior calendar year.

20 (c) The wage data report shall include the following information as of December 31st of  
21 the preceding calendar year:

22 (1) the total number of male employees,

23 (2) the average total compensation for all male employees,

24 (3) total number of female employees,

25 (4) the average total compensation for all female employees,

26 (5) the number, gender and average earnings of employees identified as: American  
27 Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native  
28 Hawaiian or Other Pacific Islander, White, two or more races, and unknown,

29 (6) for the 10 highest earning employees:

30 a. the average earnings of those employees,

- 31           b.     the number of female employees,
- 32           c.     the average earnings of those female employees,
- 33           d.     the number of male employees,
- 34           e.     the average earnings of those male employees,
- 35           f.     the number, gender and average earnings of employees identified as, if any:
- 36 American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino,
- 37 Native Hawaiian or Other Pacific Islander, White, two or more races, and unknown.

38           (c) On or before June 1st of each calendar year, the secretary shall prepare and publish on

39 the EOLWD website an alphabetical list of all covered employers and the data submitted for the

40 prior calendar year pursuant to paragraphs b and c.

41           (d) On or before June 1st of each calendar, a covered employer shall publish on its

42 website all data submitted with the EOLWD pursuant to paragraphs b and c for the prior year.

43           (e) The secretary shall review data submitted pursuant to this section to ensure

44 compliance with reporting requirements and refer any noncomplying employer to the attorney

45 general.

46           (f) The attorney general shall have the authority to enforce this section and the necessary

47 powers to require compliance therewith.