

**HOUSE . . . . . No. 3107**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David Biele and Daniel J. Hunt***

*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 employment of persons with disabilities on state contracts.

PETITION OF:

| NAME:                           | DISTRICT/ADDRESS:     | DATE ADDED:      |
|---------------------------------|-----------------------|------------------|
| <i>David Biele</i>              | <i>4th Suffolk</i>    | <i>2/4/2021</i>  |
| <i>Daniel J. Hunt</i>           | <i>13th Suffolk</i>   | <i>2/4/2021</i>  |
| <i>James J. O'Day</i>           | <i>14th Worcester</i> | <i>2/26/2021</i> |
| <i>Carlos González</i>          | <i>10th Hampden</i>   | <i>2/26/2021</i> |
| <i>Josh S. Cutler</i>           | <i>6th Plymouth</i>   | <i>2/26/2021</i> |
| <i>Brian W. Murray</i>          | <i>10th Worcester</i> | <i>2/23/2021</i> |
| <i>Christopher Hendricks</i>    | <i>11th Bristol</i>   | <i>2/26/2021</i> |
| <i>Hannah Kane</i>              | <i>11th Worcester</i> | <i>2/23/2021</i> |
| <i>Michael J. Moran</i>         | <i>18th Suffolk</i>   | <i>3/16/2021</i> |
| <i>Danielle W. Gregoire</i>     | <i>4th Middlesex</i>  | <i>3/16/2021</i> |
| <i>Daniel J. Ryan</i>           | <i>2nd Suffolk</i>    | <i>3/16/2021</i> |
| <i>Thomas M. Stanley</i>        | <i>9th Middlesex</i>  | <i>3/16/2021</i> |
| <i>Daniel M. Donahue</i>        | <i>16th Worcester</i> | <i>3/16/2021</i> |
| <i>Tackey Chan</i>              | <i>2nd Norfolk</i>    | <i>3/29/2021</i> |
| <i>Bradley H. Jones, Jr.</i>    | <i>20th Middlesex</i> | <i>3/29/2021</i> |
| <i>Tommy Vitolo</i>             | <i>15th Norfolk</i>   | <i>3/29/2021</i> |
| <i>Mary S. Keefe</i>            | <i>15th Worcester</i> | <i>4/6/2021</i>  |
| <i>William J. Driscoll, Jr.</i> | <i>7th Norfolk</i>    | <i>4/6/2021</i>  |

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|-----------------------------|-----------------------------|------------------|
| <i>Marcos A. Devers</i>     | <i>16th Essex</i>           | <i>4/6/2021</i>  |
| <i>Adrian C. Madaro</i>     | <i>1st Suffolk</i>          | <i>4/6/2021</i>  |
| <i>Bruce J. Ayers</i>       | <i>1st Norfolk</i>          | <i>4/6/2021</i>  |
| <i>Richard M. Haggerty</i>  | <i>30th Middlesex</i>       | <i>4/6/2021</i>  |
| <i>David M. Rogers</i>      | <i>24th Middlesex</i>       | <i>4/6/2021</i>  |
| <i>Carole A. Fiola</i>      | <i>6th Bristol</i>          | <i>4/15/2021</i> |
| <i>Edward R. Philips</i>    | <i>8th Norfolk</i>          | <i>4/21/2021</i> |
| <i>Brandy Fluker Oakley</i> | <i>12th Suffolk</i>         | <i>5/26/2021</i> |
| <i>Patrick M. O'Connor</i>  | <i>Plymouth and Norfolk</i> | <i>9/29/2021</i> |
| <i>Natalie M. Higgins</i>   | <i>4th Worcester</i>        | <i>9/29/2021</i> |

**HOUSE . . . . . No. 3107**

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By Messrs. Biele of Boston and Hunt of Boston, a petition (accompanied by bill, House, No. 3107) of David Biele, Daniel J. Hunt and others relative to the employment of persons with disabilities on state contracts. State Administration and Regulatory Oversight.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2671 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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

An Act relative to the employment of persons with disabilities on state contracts.

*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 7 of the Massachusetts General Laws is hereby amended by placing after Section  
2 38P the following: -

3 SECTION 38Q. (a) Any contract issued for services in the Commonwealth of  
4 Massachusetts or any political subdivision there-in that receives appropriated funds from the  
5 legislature of the Commonwealth of Massachusetts shall employ up to 10% of individuals hired  
6 within that contract be individuals with disabilities. Notwithstanding any general or special law  
7 to the contract, the Supplier Diversity Office in consultation with the Massachusetts Office on  
8 Disability, the Massachusetts Commission for the Blind and the Massachusetts Rehabilitation  
9 Commission shall implement and regulate said law.

10 (b) Such services shall include but not be limited to janitorial and custodial services,  
11 landscaping services, mailroom services, food services, fleet management, manufacturing, trash  
12 removal, document destruction, electronic scanning of documents, and facility management  
13 services including but not limited to HVAC Services, Painting, Emergency Repair Series, and  
14 Snow Removal.

15 (c) For the purpose of this act, an individual with a disability will be defined as; someone  
16 (i) who has a severe physical or mental impairment which seriously limits one or more functional  
17 capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work  
18 tolerance, or work skills) in terms of an employment outcome; (ii) someone whose vocational  
19 rehabilitation can be expected to require multiple vocational rehabilitation services over an  
20 extended period of time; (iii) someone who has one or more physical or mental disabilities  
21 resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic  
22 fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary  
23 dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-  
24 skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia,  
25 quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability,  
26 end-stage renal disease, or another disability or combination of disabilities determined on the  
27 basis of an assessment for determining eligibility and vocational rehabilitation to cause  
28 comparable substantial functional limitation.

29 (d) The percentage requirements shall be met within one year of award of such contract,  
30 and steps shall be taken to minimize the displacement of any workers already providing the  
31 services covered by such contract.

32 (e) The percentage requirement laid out in this section shall be phased into effect as  
33 follows:

34 January 1, 2021, at least 2%

35 January 1, 2022, at least 4%

36 January 1, 2023, at least 6%

37 January 1, 2024, at least 8%

38 January 1, 2025, at least 10%