

HOUSE No. 4161

The Commonwealth of Massachusetts

PRESENTED BY:

Mike Connolly

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 an emergency medical technician bill of rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/19/2021</i>

HOUSE No. 4161

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 4161) of Mike Connolly relative to the employment rights of emergency medical technicians. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act establishing an emergency medical technician bill of rights.

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 is hereby amended by adding the
2 following section:-

3 Section 204. It is hereby declared to be against public policy for any employer that
4 employs any person in an occupation for which a wage is set pursuant to sections 23 or 24 of
5 chapter 151 to: (i) limit employee access to or fail to provide employees with breaks for meals;
6 (ii) require employees to work past the end of their scheduled shift; or (iii) assign employees
7 more than 40 hours of work in a 7-day period. No employer shall require an employee in an
8 occupation for which a wage is set pursuant to said sections 23 or 24 of said chapter 151 to agree
9 to these practices as a condition of employment. Any contract, agreement or understanding for or
10 in relation to these practices shall be null and void.

11 The attorney general shall enforce this section and shall promulgate rules and regulations
12 necessary for enforcement.

13 SECTION 2. Chapter 151 of the General Laws is hereby amended by adding the
14 following 2 sections:-

15 Section 23. It is hereby declared to be against public policy for any employer to employ
16 any person in an occupation in this commonwealth at an oppressive and unreasonable wage as
17 defined in section 2, and any contract, agreement or understanding for or in relation to such
18 employment shall be null and void. Notwithstanding section 1, a wage of less than \$25.00 per
19 hour for persons employed by for-profit ambulance providers as ambulance attendants, at any
20 level of certification or licensure, whose duties exclusively provide for non-emergency patient
21 transportation or interfacility transfer between health care facilities, shall conclusively be
22 presumed to be an oppressive and unreasonable wage as defined in section 2, unless the
23 commissioner has expressly approved or shall expressly approve the establishment and payment
24 of a lesser wage in accordance with sections 7 and 9.

25

26 Section 24. It is hereby declared to be against public policy for any employer to employ
27 any person in an occupation in this commonwealth at an oppressive and unreasonable wage as
28 defined in section 2, and any contract, agreement or understanding for or in relation to such
29 employment shall be null and void. Notwithstanding section 1, a wage of less than \$25.00 per
30 hour for persons employed by for-profit ambulance providers, non-profit ambulance providers or
31 city, town, county, state or district ambulance providers as ambulance staff, at any level of
32 certification or licensure, whose duties include responding to emergency medical calls, shall
33 conclusively be presumed to be an oppressive and unreasonable wage as defined in section 2,
34 unless the commissioner has expressly approved or shall expressly approve the establishment

35 and payment of a lesser wage in accordance with sections 7 and 9; provided, however, that this
36 section shall not apply to any volunteer firefighter, as defined by the federal Fair Labor
37 Standards Act, as codified in 29 U.S.C. 201 et seq., in a city, town or district fire department.