

SENATE No. 1178

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 nondiscrimination.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>

SENATE No. 1178

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1178) of Sal N. DiDomenico and James B. Eldridge for legislation relative to nondiscrimination. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1065 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act relative to nondiscrimination.

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 151B of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by adding the following section:- "Section 11: Each executive
3 department and agency shall develop, adhere to and update a plan to address the
4 nondiscrimination provisions as set forth in this chapter. The plan shall apply to all personnel,
5 including, but not limited to, volunteers and interns, agency line staff, managers, administrators,
6 executives, contracted vendors and program staff (hereinafter "personnel"). The plan shall be
7 updated at least biennially. Each plan shall include, but not be limited to: descriptions of and
8 statements prohibiting discrimination as outlined in this chapter; procedures for collecting and
9 maintaining demographic data; clear procedures for all personnel and others to report
10 discrimination or retaliation; a provision that reports of discrimination or retaliation may be

11 made anonymously; provided, however, that no disciplinary action shall be taken against
12 personnel solely on the basis of an anonymous report; clear procedures for promptly responding
13 to and investigating reports of discrimination or retaliation; the range of disciplinary actions that
14 may be taken against a perpetrator for discrimination or retaliation; provided, however, that the
15 disciplinary actions shall balance the need for accountability with the need to teach appropriate
16 language, behavior and cultural competence; strategies for protecting from retaliation a person
17 who reports discrimination, provides information during an investigation of discrimination; a
18 strategy for providing counseling or referral to appropriate services for perpetrators and victims
19 of discrimination. Beyond protecting individuals from discrimination, the plan should clearly
20 outline executive department and agency procedures for ensuring equal access to state services.
21 The plan should detail a plan and timeline for personnel training on nondiscrimination and equal
22 access under chapter 151B of the acts of 2018. The plan shall afford all individuals the same
23 protection regardless of their status under the law.

24 SECTION 2. Each executive department and agency shall submit nondiscrimination
25 plans, as outline in section 1, to the Clerks of the House and Senate, the Joint Committee on the
26 Judiciary, the Joint Committee on State Administration and Regulatory Oversight, the
27 Massachusetts Commission Against Discrimination, and Office of Diversity and Equal
28 Opportunity no later than January 1, 2023.