

**SENATE . . . . . No. 1178**

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**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**

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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.

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[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.