

SENATE No. 1196

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/16/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/16/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/17/2021</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>2/18/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/18/2021</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/24/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/2/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/3/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/9/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/11/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/17/2021</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	<i>3/26/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>5/9/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>5/12/2021</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>5/17/2021</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>5/18/2021</i>

<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>6/21/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>6/21/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>6/21/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>6/21/2021</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>6/22/2021</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>6/22/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/22/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>7/20/2021</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>10/15/2021</i>

SENATE No. 1196

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1196) of Paul R. Feeney, James B. Eldridge, Jason M. Lewis, Sal N. DiDomenico and other members of the Senate for legislation relative to 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 is hereby amended by inserting after
2 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 the total number of male employees,

23 the average total compensation for all male employees,

24 total number of female employees,

25 the average total compensation for all female employees,

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

29 for the 10 highest earning employees:

30 the average earnings of those employees,

31 the number of female employees,
32 the average earnings of those female employees,
33 the number of male employees,
34 the average earnings of those male employees,
35 the number, gender and average earnings of employees identified as, if any: American
36 Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Native
37 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.