

# SENATE . . . . . No. 2056

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Paul R. Feeney***

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*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 discouraging employers from closing call centers and customer service operations in the Commonwealth and relocating overseas, and for other purposes.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>4/22/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>4/26/2021</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>5/4/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>5/4/2021</i>
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	<i>5/7/2021</i>

# SENATE . . . . . No. 2056

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By Mr. Feeney, a petition (accompanied by bill, Senate, No. 2056) of Paul R. Feeney for legislation to discourage employers from closing call centers and customer service operations in the Commonwealth and relocating overseas, and for other purposes. State Administration and Regulatory Oversight.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Second General Court  
(2021-2022)  
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An Act discouraging employers from closing call centers and customer service operations in the Commonwealth and relocating overseas, and for other purposes.

*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: SHORT TITLE

2           This Act may be cited as the “Save Massachusetts Call Center Jobs Act of 2021”.

3           SECTION 2: DEFINITIONS

4           In this Act:

5           1. CALL CENTER – The term “employer” means any business enterprise that employs,  
6 for the purpose of customer service or back-office operations –

7           A. 50 or more employees, excluding part-time employees; or

8           B. 50 or more employees who in the aggregate work at least 1,500 hours per week  
9 (exclusive of hours of overtime).

2. AGENCY – The term “agency” means a state executive agency.

3. PART-TIME EMPLOYEE – The term “part-time employee” means an employee who is employed for an average of fewer than 20 hours per week or who has been employed for fewer than 6 of the 12 months preceding the date on which notice is required.

4. SECRETARY – The term “Secretary” means the Secretary of Labor and Workforce Development.

### SECTION 3: LIST OF CALL CENTERS THAT MOVE OVERSEAS

#### a) Notice Requirement

1. IN GENERAL – An employer that intends to relocate a call center, or one or more facilities or operating units within a call center comprising at least 30% of the call center’s, or operating unit’s, total volume when measured against the previous 12 month average call volume of operations or substantially similar operations, from Massachusetts to a foreign country shall notify the Secretary of Labor and Workforce Development at least 120 days before such relocation.

2. PENALTY – An employer that violates paragraph 1 shall be subject to a civil penalty not to exceed an amount of \$10,000 for each day of such violation, except that the Secretary of Labor and Workforce Development may reduce such amount for just cause shown.

#### b) List

1. COMPILATION – The Secretary of Labor and Workforce Development shall compile a semiannual list of all employers that relocate a call center, or one or more facilities or operating

units within a call center comprising at least 30% of the call center's total volume of operations, from the Commonwealth of Massachusetts to a foreign country.

2. DISTRIBUTION – The Secretary of Labor and Workforce Development shall distribute the list required in paragraph 1 to all agencies under the jurisdiction of the Secretary.

#### SECTION 4: GRANTS OR GUARANTEED LOANS

a) INELIGIBILITY – Except as provided in subsection (b) and notwithstanding any other provision of law, an employer that appears on the list described in section 3(b)(1) shall be ineligible for any direct or indirect State grants, State guaranteed loans or tax benefit for 5 years after the date such list is published.

b) REVERSION – Except as provided in subsection (c) and notwithstanding any other provision of law, an employer that appears on the list described in section 3(b)(1) shall remit the unamortized value of any grant, guaranteed loans, tax benefits, or any other governmental support it has previously received to the Secretary of Labor and Workforce Development.

c) EXCEPTIONS – The Secretary of Labor and Workforce Development in consultation with the appropriate agency providing a loan or grant, may waive the ineligibility requirement provided under subsection (a) if the employer applying for such loan or grant demonstrates that a lack of such loan or grant would –

1) Result in substantial job loss in the Commonwealth of Massachusetts; or

2) Harm the environment.

#### SECTION 5: IN-STATE PROCUREMENT

50           The head of each agency shall ensure that all state-business-related call center and  
51 customer service work be performed by state contractors or their agents or subcontractors  
52 entirely within the Commonwealth of Massachusetts. State contractors who currently perform  
53 such work outside the Commonwealth of Massachusetts shall have two years following the  
54 enactment of this Act to comply with this Section 5; provided, that if any such grandfathered  
55 contractors add customer service employees who will perform work on such contracts, those new  
56 employees shall immediately be employed within the Commonwealth of Massachusetts.

#### 57           SECTION 6: STATE BENEFITS FOR WORKERS

58           No provision of this Act shall be construed to permit withholding or denial of payments,  
59 compensation, or benefits under any other State law (including state unemployment  
60 compensation, disability payments, or worker retraining or readjustment funds) to workers  
61 employed by employers that relocate to a foreign country.

#### 62           SECTION 7: EFFECTIVE DATE

63           This Act shall become effective 180 days after the date of enactment of this Act.