

HOUSE No. 376

The Commonwealth of Massachusetts

PRESENTED BY:

Tram T. Nguyen

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 a manicurist industry minimum standards advisory board.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/14/2023</i>

HOUSE No. 376

By Representative Nguyen of Andover, a petition (accompanied by bill, House, No. 376) of Tram T. Nguyen relative to establishing a manicurist industry minimum standards advisory board. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act establishing a manicurist industry minimum standards advisory board.

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. There shall be a Manicurist Industry Minimum Standards Advisory Board
2 to study and make recommendations to the senate and house of representatives, the division of
3 occupational licensure, and the executive office of labor and workforce development regarding
4 establishing industry-wide minimum standards on wages, benefits, working hours, training, and
5 working conditions affecting the health, safety, and employment of workers in nail salons, also
6 known as Manicurist salons as defined in G.L. Ch. 112, Section 87T.

7 SECTION 2. The advisory board shall consist of fifteen members:

8 3 persons who shall serve in an ex officio capacity, 1 of whom is the secretary of the
9 executive office of workforce and development, or their designee, and who shall serve as chair, 1
10 person of whom is the commissioner of the division of occupational licensure, or their designee,
11 and 1 person of whom is the executive director of the Vietnamese American Initiative for
12 Development, or their designee.

13 5 persons to be appointed by the governor, 1 person of whom shall be an expert in
14 occupational safety and health, 1 person of whom shall be an expert in economic development
15 strategies for under-resourced businesses or small business support development, and 3 of whom
16 are owners of licensed shops as defined in G.L. Ch. 112, Section 87AA and none of whom was
17 cited for violation of state or federal wage and hour laws in the 2 years prior to appointment, of
18 which 1 of whom must be certified as a disadvantaged business enterprise at the time of
19 appointment and 1 of whom employs 5 or fewer employees within the commonwealth, 1 of
20 whom employs 25 or fewer employees, and 1 of whom employs fewer than 150 employees
21 within the commonwealth;

22 7 persons to be appointed by the attorney general, 1 of whom is an expert in economic
23 research in the manicurist industry or similar low-wage service industry, 1 of whom with a
24 background in representing or organizing workers in workforce development, labor relations and
25 rights, or a community support organization serving low-wage workers in the manicurist
26 industry, 1 of whom with a background in training or supporting the workforce development of
27 manicurists, 1 person of whom shall be an expert in women-owned, minority businesses, and 3
28 of whom are employed and licensed as manicurists at the time of their appointment and reflect
29 the demographic and geographic background of manicurist workers in the commonwealth, and
30 who have at least 2 years of relevant experience, provided, however, that no more than 2 are
31 employed or living in the city of Boston at the time of their appointment.

32 SECTION 3. The board shall monitor, recommend, give testimony, and report on
33 assessment of fair living wages and gratuities, benefits, training, and improvement of workplace
34 conditions and safety in the Manicurist industry, except for the adjudication of particular claims
35 or complaints. Its powers include the issuance of reports, recommendations for legislation and

36 policies, regulations, and programs, the conducting of research, and the collecting of data from
37 public and private sources.

38 Initial recommendations to the senate and house of representatives, the division of
39 occupational licensure, and the executive office of labor and workforce development shall be
40 submitted by the board to the clerk of the senate and the clerk of the house not more than
41 eighteen months from the effective date of this act.

42 SECTION 4. Appointed members of the board shall serve for terms of 2 years and may
43 be reappointed to one additional term. Members of the board shall serve without compensation
44 but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of
45 their official duties. Members of the board shall not be state employees under chapter 268A by
46 virtue of their service on the board. To take action at a meeting, a majority of the members of the
47 board present and voting shall constitute a quorum. The chair shall not vote on matters unless in
48 the case of tie among voting members.

49 SECTION 5. The chair shall appoint subcommittees in order to expedite the work of the
50 board; provided, however, that the chair shall appoint: (i) a subcommittee on health and safety to
51 develop recommendations on workplace safety, anti-hate initiatives, access to protective
52 equipment, and training, (ii) a subcommittee on the nail industry workforce to develop
53 recommendations on fair wages, minimum pricing, and sustainability in the industry and (iii) a
54 subcommittee on the nail salon industry to develop recommendations on promoting women and
55 minority-owned businesses.