

HOUSE No. 1921

The Commonwealth of Massachusetts

PRESENTED BY:

Rita A. Mendes

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 equality and safety in the workplace.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|----------------------|------------------|
| <i>Rita A. Mendes</i> | <i>11th Plymouth</i> | <i>1/20/2023</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>2/7/2023</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>2/16/2023</i> |
| <i>Samantha Montañó</i> | <i>15th Suffolk</i> | <i>3/21/2023</i> |

HOUSE No. 1921

By Representative Mendes of Brockton, a petition (accompanied by bill, House, No. 1921) of Rita A. Mendes, Michelle M. DuBois and Patrick Joseph Kearney relative to establishing equality and safety in the workplace. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

An Act establishing equality and safety 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 1.

2 General Law Chapter 152 is hereby amended by adding subsection 87. Any employer,
3 who does not report within 24 hours a work-related incident resulting in in-patient
4 hospitalization, amputation, or the loss of an eye, shall be fined \$100 per day for each day the
5 report has not been made. The \$100 shall be payable to the employee. Such payment shall be
6 recorded with the Department of Industrial Accidents by the employer in writing by mail. Said
7 employer shall retain a copy of the report and a copy of the check payable to the employee and
8 the details of days not reported for 2 years.

9 a. The report must be made to a Department of Labor, Occupational Safety and
10 Health Administration (OSHA) office in Massachusetts when the injury occurred in
11 Massachusetts. When the injury occurred outside of Massachusetts, then to the OSHA Office in
12 the state where the injury occurred the reporting shall be made. All regulations of OSHA as to

13 the office to which to report the injury shall be made shall supersede the reporting requirements
14 of this section as to where to report. The content of the report shall include the name, address,
15 and telephone number of the employee and any known witnesses along with a brief description
16 of the injury if known to the employer, the name and address, and telephone number of the
17 employer and the name of a contact person at the employer.

18 1. Footnote: 29 CFR 1904.39(a)(2): Employers are required within 24 hours a work-
19 related incident resulting in in-patient hospitalization, amputation or the loss of an eye to report
20 to OSHA.