

**SENATE . . . . . No. 1182**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Barry R. Finegold***

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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 clarifying the process for paying the wages of dismissed employees.

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PETITION OF:

NAME:

*Barry R. Finegold*

DISTRICT/ADDRESS:

*Second Essex and Middlesex*

**SENATE . . . . . No. 1182**

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 1182) of Barry R. Finegold for legislation to clarify the process for paying the wages of dismissed employees. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

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

An Act clarifying the process for paying the wages of dismissed employees.

*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. Section 150 of chapter 149 of the General Laws is hereby amended by  
2 inserting after the word “him”, in the second sentence, the following:-

3 “or the payment of demanded wages pursuant to section 204 of this chapter”.

4 SECTION 2. Chapter 149 of the General Laws is hereby amended by inserting after  
5 section 203 the following section:-

6 Section 204. Right to Cure

7 (a) After termination of a person’s employment, claims that are brought to recover unpaid  
8 employment-based compensation resulting from a violation of sections 33E, 52E, 148, 148A,  
9 148B, 148C, 150C, 152, 152A, 159C or 190 of this chapter or section 19 of chapter 15 and that  
10 seek treble damages under section 150 of this chapter shall be preceded by a written demand for  
11 relief to the employer specifying those sums due and the reasons therefor. Upon receipt of such a

12 demand for relief, the employer shall have fifteen business days to cure any asserted deficiency  
13 by making payment in full to the aggrieved claimant. The employer shall have no liability for  
14 attorneys' fees or for treble damages under section 150 of this chapter should the employer cure  
15 the violation by paying, within fifteen days of receiving the written demand, any deficiency in  
16 such compensation payments: (i) that are indisputably due; or (ii) upon a showing that the  
17 violation was the result of a good faith miscalculation, error or reliance on erroneous information  
18 from a third party.

19 (b) In any action that is brought to recover unpaid employment-based compensation  
20 resulting from a violation of sections 33E, 52E, 148, 148A, 148B, 148C, 150C, 152, 152A, 159C  
21 or 190 of this chapter or section 19 of chapter 151 and that seeks treble damages under section  
22 150 of this chapter, if the employer shows to the satisfaction of the court that the employer's act  
23 or omission giving rise to such action was in good faith, and that the employer had reasonable  
24 grounds for believing that its act or omission was not a violation of such laws, the court may, in  
25 its sound discretion, award no statutory or treble damages.