

SENATE No. 1300

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

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 preventing wage theft, promoting employer accountability, and enhancing public enforcement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	<i>1/29/2025</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>1/30/2025</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/4/2025</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/19/2025</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/19/2025</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/25/2025</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>3/3/2025</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/3/2025</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/3/2025</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/3/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/3/2025</i>
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	<i>3/12/2025</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>4/2/2025</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>4/7/2025</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>4/30/2025</i>

<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>6/12/2025</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>10/9/2025</i>
<i>Nick Collins</i>	<i>First Suffolk</i>	<i>10/15/2025</i>

SENATE No. 1300

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 1300) of Sal N. DiDomenico, Mark C. Montigny, Michael D. Brady, Joanne M. Comerford and other members of the Senate for legislation to prevent wage theft, promote employer accountability, and enhance public enforcement. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1158 OF 2023-2024.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—————

An Act preventing wage theft, promoting employer accountability, and enhancing public enforcement.

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 27C of chapter 149 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting after the words “subsection (a)”, in line 58, the
3 following words:- , or section 100, 148E or 150C.

4 SECTION 2. Said section 27C of said chapter 149, as so appearing, is hereby further
5 amended by striking out, in line 159, the words “Civil and criminal” and inserting in place
6 thereof the following word:- Criminal.

7 SECTION 3. Said section 27C of said chapter 149, as so appearing, is hereby further
8 amended by adding the following subsection:-

9 (d) As a further alternative to initiating criminal proceedings pursuant to subsection (a) or
10 civil proceedings pursuant to subsection (b), the attorney general may file a civil action for
11 injunctive relief, for any damages incurred, and for any lost wages and other benefits on behalf
12 of an employee or multiple, similarly situated employees. If the attorney general prevails in such
13 an action, the employee or employees on whose behalf the attorney general brought the civil
14 action shall be awarded treble damages, for any lost wages and other benefits, and the attorney
15 general shall also be awarded the costs of the litigation and reasonable attorneys' fees.

16 SECTION 4. Chapter 149 of the General Laws is hereby amended by inserting after
17 section 148D the following 3 sections:-

18 Section 148E. (a) As used in this section and sections 148F to 148H, inclusive, the
19 following words shall have the following meanings unless the context clearly indicates
20 otherwise:-

21 "Labor contractor:, (1) an individual who is not an employee of a lead contractor, as
22 defined by section 148B of chapter 149, or a corporation, partnership, firm or other business
23 entity, (2) who obtains, engage or provides 1 or more individuals to perform labor services, with
24 or without a written contract, directly or indirectly, to a lead contractor or from a labor
25 subcontractor for the benefit of the lead contractor's business activities, operations, or purposes.

26 "Labor subcontractor", (1) an individual who is not an employee of a labor contractor or
27 lead contractor, as defined by section 148B of chapter 149, or a corporation, partnership, firm or
28 other business entity, (2) who engages or provides 1 or more individuals to perform labor or
29 services, with or without a written contract, directly or indirectly, to a labor contractor for the
30 benefit of the lead contractor's business activities, operations, or purposes.

31 “Lead contractor”, a person, regardless of form, that obtains, engages or is provided with
32 1 or more individuals, directly from a labor contractor or indirectly from a labor subcontractor, to
33 perform labor or services that have a significant nexus with the lead contractor’s business
34 activities, operations, or purposes.

35 “Wage theft”, a violation of sections 27, 27F, 27G or 27H, the first and third sentences
36 and the fourth paragraph of section 148, sections 148B or 148C, the fourth sentence of section
37 150, section 152A, subsections (c) or (d) of section 159C, sections 1, 1A, 1B, 2A or 7 of chapter
38 151, clauses (4) or (5) of section 19 of chapter 151 or section 20 of chapter 151.

39 (b) An employer, except a staffing agency as defined by section 159C that is licensed or
40 registered pursuant to sections 46A to 46R, inclusive, of chapter 140, shall provide each
41 employee, not later than 10 days after the commencement of employment, with written notice in
42 the language the employer normally uses to communicate employment-related information to the
43 employee, of the following information: (i) the rate or rates of pay and the basis for those rates,
44 whether paid by the hour, shift, day, week, salary, piece, commission or otherwise, including
45 methods of calculation for overtime, if applicable; (ii) allowances, if any, claimed as part of the
46 minimum wage, including meal, tip or lodging allowances; (iii) the regular pay day designated
47 by the employer; (iv) the name of the employer, including any “doing business as” names used
48 by the employer; (v) the physical address of the employer’s main office or principal place of
49 business and mailing address, if different; (vi) the telephone number of the employer; and (vii)
50 the name, address, and telephone number of the employer’s workers’ compensation insurance
51 carrier.

52 (c) A lead contractor shall be subject to joint and several liability with a labor contractor
53 and a labor subcontractor. For purposes of this section, the president and treasurer of a
54 corporation and any officers or agents having the management of such corporation shall also be
55 deemed civilly liable for a wage theft violation hereunder.

56 (d) Nothing in this section shall limit the availability of other civil claims and remedies at
57 law or in equity whether provided under the general laws or common law.

58 (e) A successor entity to any lead contractor, labor contractor or labor subcontractor
59 subject to liability under this section shall also be liable under this section if that entity: (i) has 1
60 or more of the same principals or officers as the person or entity subject to liability; and (ii) is
61 engaged in the same or equivalent trade or activity as the person or entity subject to liability.

62 (f) A person or entity that has been found to have committed wage theft in the previous 3
63 years shall notify a lead contractor or labor contractor prior to entering into an agreement to
64 engage or provide 1 or more individuals, directly or indirectly, to a lead contractor or labor
65 contractor. A lead contractor or labor contractor that was jointly and severally liable under
66 subsection (c) but was not the entity that committed the wage theft shall not be required to
67 provide notice under this subsection.

68 (g) When an individual applies for unemployment benefits pursuant to chapter 151A, and
69 wage theft occurred during the base period as determined based on credible evidence, the
70 individual's unemployment benefits shall be calculated as if wages had been timely and lawfully
71 paid.

72 (h) The attorney general shall enforce this section, and may obtain injunctive or
73 declaratory relief. Violation of this section shall be subject to paragraphs (1), (2), (4) and (7) of

74 subsection (b) of section 27C, and subsection (d) of section 27C, except in cases where the lead
75 contractor, labor contractor or labor subcontractor provides payment in full during the 15-day
76 notice period for any wages allegedly owed, as described in subsection (c).

77 (i) No person or entity shall by contract or any other means be exempted from
78 subsections (a), (b), (c), (e), (f), (g), (h), or (i) or from sections 148F or 148G. Nothing in this
79 chapter shall limit the availability of other civil claims remedies at law or equity whether
80 provided under the General Laws or by common law.

81 (j) The attorney general may promulgate regulations to implement this section.

82 Section 148F. (a) The attorney general may investigate an employer's failure to obtain
83 unemployment insurance as required under chapter 151A. Upon finding a violation of section 15
84 or section 47 of chapter 151A, the attorney general may issue a stop work order to an employing
85 unit and the officer or agent of the employing unit, requiring the cessation of all business
86 operations of the violating person or entity as to the specific place of business and employment
87 for which the violation exists.

88 Not less than 5 days before the commencement of a stop work order under this section,
89 the attorney general shall notify the violating person or entity of the intended action and give the
90 person or entity an opportunity to confer with the attorney general in person or through counsel
91 or other representative as to the proposed action. Notice shall be given to the person or entity by
92 mail, postage prepaid, to the usual place of business or, if there is no usual place of business, to
93 the last known address.

94 The stop work order may be issued only against the person or entity found to be in
95 violation of section 15 or section 47 of chapter 151A and only as to the specific place of business

96 or employment for which the violation exists. The stop work order shall be effective 24 hours
97 after it is served upon the violator or the place of business or employment. A stop work order
98 may be served in hand or at a place of business, employment or job site by posting a copy of the
99 stop work order in a conspicuous location. The stop work order shall be in effect, subject to an
100 appeal under subsection (b), until the attorney general issues an order to release the stop work
101 order upon a finding that the violation has been corrected.

102 (b) A person or entity aggrieved by the imposition of a stop work order shall have 10
103 days from the date of its service to make a request for a hearing to be held in a manner
104 determined by the attorney general. A person or entity that timely files such an appeal shall be
105 granted a hearing in accordance with chapter 30A not later than 21 days after receipt of the
106 appeal. The stop work order shall not be in effect during the pendency of a timely filed appeal.

107 (c) A stop work order imposed against a person or entity shall be effective against any
108 successor person or entity that: (i) has at least 1 of the same principals or officers as the person or
109 entity against whom the stop work order was issued; and (ii) is engaged in the same or equivalent
110 trade or activity as the person or entity for which the stop work order was imposed.

111 (d) An employee affected by a stop work order pursuant to this section shall be paid for
112 the period the stop work order is in place or the first 10 days the employee would have been
113 scheduled to work if the stop work order had not been issued, whichever is less, by the person or
114 entity that was served the stop work order. Time lost by an employee affected by a stop work
115 order pursuant to this section, not exceeding 10 days, shall be considered time worked under
116 chapters 149 and 151. Subsection (c) of section 148E shall not apply to wages due and payable
117 under this subsection.

118 (e) The attorney general may promulgate regulations to implement this section.

119 Section 148G. (a) Upon finding that any person or entity has engaged in a wage theft
120 violation, the attorney general may issue a stop work order to an employing unit and the officer
121 or agent of the employing unit, requiring the cessation of all business operations of the violating
122 person or entity as to the specific place of business and employment for which the violation
123 exists.

124 Not less than 5 days before the commencement of a stop work order under this section,
125 the attorney general shall notify the violating person or entity of the intended action and give the
126 person or entity an opportunity to confer with the attorney general in person or through counsel
127 or other representative as to the proposed action. Notice shall be given to the person or entity by
128 mail, postage prepaid, to the usual place of business, or if there is no usual place of business, to
129 the last known address.

130 The stop work order may be issued only against the person or entity found to be in
131 violation, and only as to the specific place of business and employment for which the violation
132 exists. The stop work order shall be effective 24 hours after it has been served upon the violator
133 or the place of business and employment. A stop work order may be served in hand or at a place
134 of business, employment or job site by posting a copy of the stop work order in a conspicuous
135 location. The stop work order shall be in effect, subject to an appeal under subsection (b), until
136 the attorney general issues an order to release the stop work order upon a finding that the
137 violation has been corrected.

138 (b) A person or entity aggrieved by the imposition of a stop work order shall have 10
139 days from the date of its service to make a request for a hearing to be held in a manner

140 determined by the attorney general. A person or entity that timely files such an appeal shall be
141 granted a hearing in accordance with chapter 30A not later than 21 days after receipt of the
142 appeal. The stop work order shall not be in effect during the pendency of a timely field appeal.

143 (c) A stop work order imposed under this section against a person or entity shall be
144 effective against any successor person or entity that: (i) has at least 1 of the same principals or
145 officers as the person or entity against whom the stop work order was issued; and (ii) is engaged
146 in the same or equivalent trade or activity as the person or entity for which the stop work order
147 was imposed.

148 (d) An employee affected by a stop work order pursuant to this section shall be paid for
149 the period the stop work order is in place or the first 10 days the employee would have been
150 scheduled to work if the stop work order had not been issued, whichever is less, by the person or
151 entity that was served the stop work order. Time lost by an employee affected by a stop work
152 order issued pursuant to this section, not exceeding 10 days, shall be considered time worked
153 under chapters 149 and 151. Subsection (c) of section 148E shall not apply to wages due and
154 payable under this subsection.

155 (e) The attorney general may promulgate regulations to implement this section.

156 SECTION 5. Section 150 of said chapter 149, as appearing in the 2022 Official Edition,
157 is hereby amended by inserting, in line 22, after the word “148C” the following word:- , 148E.

158 SECTION 6. Section 150C of said chapter 149, as appearing in the 2022 Official Edition,
159 is hereby amended by striking out, in line 9, the workers “one thousand dollars,” and inserting in
160 place thereof the following words:- \$1,000 or shall be subject to a civil citation or order as
161 provided in subsection (b) of section 27C.

162 SECTION 7. Said section of 150C of said chapter 149, as so appearing, is hereby further
163 amended by adding the following sentence:- The president and treasurer of a corporation and any
164 officers or agents having the management of such corporation shall be considered the employers
165 of the employees of the corporation for the purposes of this section.

166 Nothing in this section shall limit parties aggrieved by an employer's failure to make
167 insurance benefit contributions utilizing other remedies at law or equity afforded by other
168 chapters of the general laws, the common law, or federal law.

169 SECTION 8. Said chapter 149 of the General Laws is hereby amended by striking out
170 section 148A and inserting in place thereof the following section:-

171 Section 148A. (a) Any person or entity, including an employer or its agent, who in any
172 manner discriminates or takes adverse action, or threatens to discriminate or take adverse action,
173 against any person because that person has opposed a violation of this chapter, complained to the
174 attorney general or to any other person of a violation of this chapter, assisted any other person in
175 exercising rights under this chapter, informed any other person of rights under this chapter, or
176 instituted, assisted in, or testified in any investigation or proceedings under or related to this
177 chapter, or because of a belief that the person may in the future engage in any such actions, shall
178 have violated this section and shall be punished or subject to civil proceedings as provided in
179 subsection (b) or subsection (d) of section 27C, or section 150, and shall recover actual damages,
180 compensatory damages, punitive damages, injunctive relief or any other appropriate relief.

181 (b) There shall be a rebuttable presumption of a violation of this section is a person or
182 entity discriminates or takes adverse action, or threatens to discriminate or take adverse action,
183 against any person within 90 days of that person's exercise of rights under this chapter, including

184 activity protected by this section. This presumption may be rebutted by clear and convincing
185 evidence that the action was taken for a permissible purpose and that it would have been taken in
186 the absence of the protected activity.

187 SECTION 9. Section 19 of chapter 151 of the General Laws, as appearing in the 2022
188 Official Edition, is hereby amended by striking out subsection (1) and inserting in place thereof
189 the following subsection:-

190 (1)(a) Any person or entity, including an employer or its agent, who in any manner
191 discriminates or takes adverse action, or threatens to discriminate or take adverse action, against
192 any person because that person has opposed a violation of this chapter, complained to the
193 attorney general or any other person of a violation of this chapter, assisted any other person in
194 exercising rights under this chapter, informed any other person of rights under this chapter, or
195 instituted, assisted in, or testified in any investigation or proceedings under or related to this
196 chapter, or because of a belief that the person may in the future engage in any such actions, shall
197 have violated this section and shall be punished or subject to civil proceedings as provided in
198 subsection (b) or subsection (d) of section 27C, or section 150, and shall recover actual damages,
199 compensatory damages, punitive damages, injunctive relief or any other appropriate relief.

200 (b) There shall be a rebuttable presumption of a violation of this subsection if a person or
201 entity discriminates or takes adverse action, or threatens to discriminate or take adverse action,
202 against any person within 90 days of that person's exercise of rights under this chapter, including
203 activity protected by this subsection. This presumption may be rebutted by clear and convincing
204 evidence that the action was taken for a permissible purpose and that it would have been taken in
205 the absence of the protected activity.

206 SECTION 10. Chapter 149 of the General Laws, as so appearing, is hereby amended by
207 inserting after section 148G the following section 148H:-

208 (a) For purposes of this section, the following terms shall have the following meanings:

209 (1) “Aggrieved person”, any employee, prospective or former employee, or person
210 providing services for remuneration to another against whom one or more of the alleged
211 violations was committed by the alleged violator, whether or not employed by the violator at the
212 time an action is filed, including any person who is not classified by an employer as an employee
213 but who claims to be an employee and whose claims against the purported employer related to
214 such alleged misclassification.

215 (2) “Public enforcement action”, a civil action brought by a relator under this section to
216 enforce protections enforceable by the attorney general.

217 (3) “Relator”, a whistleblower or representative organization that acts as a plaintiff in a
218 public enforcement action under this section.

219 (4) “Representative organization”, an organization that is tax-exempt under subsection
220 (c)(3), (c)(4) or (c)(5) of the federal Internal Revenue Code, 26 U.S.C. section 501, and that
221 regularly advocates on behalf of employees or that regularly assists in enforcement of this
222 chapter or chapter 151 and that has been selected by an aggrieved individual to initiate a public
223 enforcement action on the aggrieved person’s behalf, in writing in a form prescribed by the
224 attorney general. In such cases, the aggrieved party’s name and personal identifying information
225 shall be kept confidential if the aggrieved party so chooses.

226 (5) “Whistleblower”, an aggrieved individual or any current or former employee,
227 contractor, subcontractor, employee of a contractor or subcontractor of the defendant, vendor, or
228 client with knowledge of the alleged violations that is independent of and materially adds to any
229 publicly disclosed information about the alleged violations.

230 (b)(1) A relator, on behalf of the attorney general, may initiate a public enforcement
231 action pursuant to the procedures and subject to the limitations specified in subsection (e) of this
232 section. Such action may be brought in any court of competent jurisdiction. Such an action may
233 allege multiple violations that have affected different parties aggrieved by the same defendant.

234 (2) For purposes of public enforcement actions brough pursuant to this section, whenever
235 the attorney general is authorized to assess or seek civil remedies, including penalties, equitable
236 and declaratory relief, and other civil relief, for a violation of section 21, 26-27H, 52D, 100, 148,
237 148A, 148B, 148C, 148E, 150A, 150C, 152, 152A, 159C, or 190 of this chapter, or of chapter
238 151, a court is hereby authorized to assess the same civil remedies. Where the section of chapter
239 149 or chapter 151 establishes an employer’s obligation to maintain certain working conditions,
240 but no civil penalty is specifically provided for a breach of that obligation, there is hereby
241 established a civil penalty of \$500 for each aggrieved person per two-week period in which the
242 breach occurred. All civil penalties shall be awarded for each person aggrieved by the violation
243 during each two-week period in which the violation occurred.

244 (3) When a civil remedy is recovered pursuant to decision or settlement in any public
245 enforcement action, the relator shall be awarded reasonable attorneys’ fees and costs.

246 (4) Nothing in this section shall operate to limit an aggrieved party’s right to pursue a
247 private action based on the same violation or injury.

248 (5) Nothing in this section shall operate to limit the attorney general’s right to seek
249 restitution and damages, where available, for aggrieved parties as part of a public enforcement
250 action in which it has intervened.

251 (6) Civil remedies recovered in a public enforcement action or settlement of a proposed
252 action shall be distributed as follows:

253 (i) Where the attorney general has not intervened, 30 percent to the relator and 70 percent
254 to the attorney general for enforcement of and education about the rights and obligations
255 enforceable under this chapter and chapter 151. Twenty-five percent of the attorney general’s
256 share shall be reserved for providing funding to community-based outreach and enforcement
257 activities under subsection (f) of this section. The attorney general shall promulgate regulations
258 relative to further distribution and disbursal of recoveries. Any funding received by the attorney
259 general under this section shall be continuously appropriated to supplement, and not supplant,
260 other funding for those purposes;

261 (ii) Where the attorney general has intervened, 20 percent to the relator and 80 percent to
262 the attorney general for enforcement of and education about the rights and obligations
263 enforceable under this chapter and chapter 151. Twenty-five percent of the attorney general’s
264 share shall be reserved for providing funding to community-based outreach and enforcement
265 activities under subsection (f) of this section. The attorney general shall promulgate regulations
266 relative to further distribution and disbursal of recoveries. Any funding received by the attorney
267 general under this section shall be continuously appropriated to supplement, and not supplant,
268 other funding for those purposes;

269 (7) The right to bring a public enforcement action under this section shall not be impaired
270 by any special contract.

271 (8) Notwithstanding any other provision of law, a public enforcement action authorized
272 by this section shall be commenced within the same period of time that the attorney general has
273 to take enforcement action under this chapter or chapter 151. The statute of limitations for
274 bringing a public enforcement action under this section shall be tolled from the date that a relator
275 files a notice pursuant to subsection (e) of this section with the attorney general, or the date that
276 the attorney general commences an investigation, whichever is earlier.

277 (c)(1) Notwithstanding the provisions of subsection (b) of this section, no public
278 enforcement action may be brought by a relator:

279 (i) If the attorney general, on the same facts and theories, cites a person or entity within
280 the time periods set forth in subsection (e) of this section for a violation of the same section or
281 sections of the General Laws under which such relator is attempting to recover a civil penalty or
282 other remedy on behalf of aggrieved employees or others, or files a proceeding to assess
283 penalties or to enforce other remedies available to the attorney general, provided that the attorney
284 general serves notice to the relator pursuant to subsection (e) of this section. Public enforcement
285 actions belong to the attorney general and preclude subsequent attorney general enforcement
286 efforts based on the same facts and law, whether brought by the attorney general or a relator
287 under this section. However, nothing in this section shall operate to limit the attorney general's
288 right to seek additional civil remedies for aggrieved parties as part of a public enforcement action
289 in which it has intervened.

290 (ii) For any violation of a posting, notice, agency reporting, or filing requirement, except
291 where the filing or reporting requirement involves mandatory payroll reporting.

292 (2) The attorney general shall establish a publicly available online database of public
293 enforcement actions brought pursuant to this section, which shall include the names of the
294 parties, the date filed, the disposition, and any other information that the attorney general shall by
295 regulation prescribe.

296 (d) (1) No one shall retaliate or take adverse action in any manner against an aggrieved
297 person or whistleblower, or threaten to retaliate or take adverse action, because:

298 (i) the aggrieved person or whistleblower has brought a public enforcement action;

299 (ii) the aggrieved person or whistleblower has cooperated with a relator in a public
300 enforcement action or the attorney general in investigating, prosecuting, or intervening in a
301 public enforcement action; or

302 (iii) it is believed that the aggrieved person or whistleblower may bring a public
303 enforcement action or cooperate with one.

304 (2) Any person aggrieved by a violation of this subsection may enforce it as provided by
305 section 27C or section 150 of this chapter, or as provided by section 19 of chapter 151.

306 (e) (1) No public enforcement action pursuant to this section may be commenced prior to
307 60 days after written notice of the claim has been filed by the relator with the attorney general.

308 (2) The relator shall submit a filing fee of 75 dollars with each filing of notice subject to
309 waiver in accordance with regulations promulgated by the attorney general. Notice and

310 submission of the filing fee shall toll the statute of limitations on the enforcement action for
311 which notice has been provided.

312 (3) The attorney general shall establish an online portal to provide for efficient electronic
313 filing of the notice.

314 (4) The notice shall be construed in the light most favorable to the relator, and shall
315 include:

316 (i) The name, address and contact information of the alleged violator.

317 (ii) The name and contact information of the relator.

318 (iii) The name, address, and contact information of the relator's legal counsel, should one
319 exist.

320 (iv) A concise statement of the underlying claim reasonably calculated to apprise the
321 attorney general of the substance and nature of the claim.

322 (5) The attorney general shall, by regulation, provide for the right of a relator to furnish
323 an amended notice, if the attorney general determine that the relator's original notice pursuant to
324 paragraph (1) of this subsection was not in compliance with this section or the regulations issued
325 thereunder. Such determination by the attorney general shall identify with particularity the
326 deficiencies in the original notice. If such determination and the opportunity to amend are not
327 provided by the attorney general within thirty days of the original notice, the original notice shall
328 be deemed to comply with this section. The relator shall have thirty days from receiving the
329 determination of the attorney general of noncompliance with this section to amend the notice.
330 The amended notice with relate back to the original notice.

331 (6) If the attorney general intends to investigate the alleged violation, it shall notify the
332 relator of its decision within 30 calendar days of the date of the notice received pursuant to
333 paragraph (1) of this subsection. Within 120 calendar days of that decision, the attorney general
334 may investigate the alleged violation and issue any appropriate citation. If the attorney general,
335 during the course of its investigation, determines that additional time is necessary to complete
336 the investigation, it may extend the time by not more than 30 additional calendar days and shall
337 issue a notice of the extension. If the attorney general determines that a citation shall not be
338 issues, it shall notify the relator of that decision within five business days thereof by certified
339 mail.

340 (7) Upon receipt of notice that no citation will be issues, or if no citation is issued by the
341 attorney general within the time limits prescribed herein, or if the attorney general fails to
342 provide timely or any notification, the relator may commence a public enforcement action.

343 (8) If the attorney general does not object to the filing of a public enforcement action
344 pursuant to this section, but objects to the attorney general represented by a particular attorney
345 proposed by the relator, the attorney general may, within the time limits set forth in paragraph (6)
346 of this subsection, may put the relator on notice of the attorney general's objection. The attorney
347 general will establish regulations for notice and a hearing, for purposes of reviewing the attorney
348 general's objection to counsel. Upon finding, after notice and hearing, that, based on the
349 attorney's past conduct while representing a client or clients, the attorney does not meet the
350 required professional standards of representatives, or, alternatively, if the attorney fails to
351 zealously pursue the remedies available under this section, the attorney general may order that
352 the public enforcement shall not be filed by the particular attorney on behalf of the relator.

353 (9) The attorney general may intervene in a public enforcement action and proceed with
354 any and all claims in the action:

355 (i) As of right within 30 days after the filing of the action;

356 (ii) For good cause shown, as determined by the court, after the expiration of the 30 day
357 period after the filing of the action.

358 (10) If the attorney general intervenes in an action it shall have primary responsibility for
359 prosecuting the action and shall not be bound by an act of the relator bringing the action. In such
360 cases, the relator shall remain a party to the action. The attorney general may move to dismiss or
361 settle the action after the relator has been notified of the filing of the motion and has been
362 provided with an opportunity to be heard, and the court determines that such dismissal or
363 settlement is fair, adequate, reasonable, and in the public interest. Any disposition by the attorney
364 general shall provide compensation for reasonable attorneys' fees and costs expended on behalf
365 of the relator in instituting the action.

366 (11) If the attorney general does not intervene in the action, the relator shall have the
367 right to conduct such an action subject to the following limitations:

368 (i) The court shall review and approve any settlement of any action filed pursuant to this
369 section. The proposed settlement shall be submitted to the attorney general concurrent with
370 submission to the court. The court shall approve a settlement of the action only upon a
371 determination that such settlement or voluntary dismissal is fair, adequate, reasonable, and in the
372 public interest.

373 (ii) If the attorney general so requests, it shall be served with copies of all pleadings filed
374 in the action and shall be supplied with copies of all deposition transcripts. The attorney general
375 shall bear any costs associated with service of such pleadings and depositions.

376 (12) No public enforcement action brought pursuant to this section shall be subject to the
377 requirements of rule 23 of the Massachusetts rules of civil procedure.

378 (f) (1) The Community Outreach and Labor Education Fund is established as a special
379 fund, separate and distinct from the general fund. Interest earned by the Community Outreach
380 and Labor Education Fund shall be credited to the same fund. All moneys in the Community
381 Outreach and Labor Education Fund shall be continuously appropriated for the purpose of
382 awarding grants as provided in paragraph (3) of this subsection.

383 (2) The 25 percent of the attorney general's share of recoveries reserved for providing
384 funding to community-based outreach and enforcement activities pursuant to paragraph (6) of
385 subsection (b) of this section shall be reported to the treasurer of the commonwealth, who shall
386 credit such amount to the Community Outreach and Labor Education Fund.

387 (3) Money in the Community Outreach and Labor Fund shall be granted from time to
388 time by the attorney general to organizations that are tax-exempt under subsection (c)(3), (c)(4)
389 or (c)(5) of the federal Internal Revenue Code, 26 U.S.C. section 50, for purposes of funding
390 outreach, education, and technical assistance to Massachusetts workers pertaining to workplace
391 rights.

392 (4) Grants provided from the Community Outreach and Labor Education fund shall be
393 used for activities to assist workers in enforcing employment rights, including outreach,

394 community-based education events, training materials, technical assistance, counseling, research
395 and referral services.

396 (5) When considering applications for grants, the attorney general shall give priority to
397 projects that provide services to especially vulnerable workers.

398 (g) (1) If any word, phrase, clause, sentence, paragraph, section or part of this section or
399 the application thereof to any person or circumstances shall be adjudged invalid by a court of
400 competent jurisdiction, such order or judgment shall be confined in its operation to the
401 controversy in which it was rendered, and shall not affect or invalidate the remainder of this
402 section, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph,
403 section or part thereof directly involved in the controversy in which such judgment shall have
404 been rendered.

405 (2) This section shall be liberally construed in light of its remedial purposes to expand the
406 enforcement of statutes protecting workers in the commonwealth.