

SENATE No. 1077

The Commonwealth of Massachusetts

PRESENTED BY:

Cindy F. Friedman

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 relative to fair pay for comparable work.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/24/2019</i>
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>1/28/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/29/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/30/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>1/31/2019</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/31/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/31/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/1/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/1/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/1/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/1/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/1/2019</i>

<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/1/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2019</i>
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>2/1/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>2/1/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/7/2019</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>2/11/2019</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/15/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/19/2019</i>

SENATE No. 1077

By Ms. Friedman, a petition (accompanied by bill, Senate, No. 1077) of Cindy F. Friedman, Michael O. Moore, Bradford Hill, Anne M. Gobi and other members of the General Court for legislation relative to fair pay for comparable work. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to fair pay for comparable work.

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. Chapter 6A of the General Laws is hereby amended by adding the
2 following section:-

3 Section 105. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:

5 “human services provider,” a community-based human services organization with a
6 human services program funded by the executive office of health and human services, the
7 executive office of elder affairs, the department of housing and community development or the
8 department of early education and care.

9 “human services worker,” an employee of a human services provider who provides
10 treatment, support, or services to clients or their families.

11 “disparity amount,” the monetary calculation of the average difference in salary between
12 human services workers and direct support workers or other comparable employees employed by
13 the commonwealth’s state-operated programs for human services.

14 “rate,” the reimbursement rate paid by the executive office of health and human services,
15 the executive office of elder affairs, the department of housing and community development or
16 the department of early education and care to a human services provider to deliver services to
17 clients on the commonwealth’s behalf.

18 (b) Notwithstanding any general or special law to the contrary, the executive office of
19 health and human services, the executive office of elder affairs, the department of housing and
20 community development or the department of early education and care shall increase the rate of
21 reimbursement for human services providers by an amount that reduces the disparity amount, as
22 defined by subsection (a), to:

23 (1) 50 percent on or before July 1, 2021;

24 (2) 35 percent on or before July 1, 2022;

25 (3) 20 percent on or before July 1, 2023;

26 (4) 5 percent on or before July 1, 2024; and

27 (5) 0 percent on or before July 1, 2025, and shall remain at 0 percent thereafter.

28 (c) All increases in the rate of reimbursement provided for in this section shall be used to
29 increase the compensation of human services workers.

30 (d) The executive office of health and human services, the executive office of
31 administration and finance, the executive office of elder affairs, the department of housing and
32 community development, and the department of early education and care shall adopt regulations
33 to implement this section.

34 (e) Nothing in this section shall be construed to prohibit the elimination of the disparity
35 amount prior to July 1, 2025.

36 SECTION 2. On or before January 1, 2020, the executive office of health and human
37 services, the executive office of administration and finance, the executive office of elder affairs,
38 the department of housing and community development, and the department of early education
39 and care, in collaboration with the Massachusetts Council of Human Service Providers, Inc.,
40 shall provide a report to the senate and house committees on ways and means that includes
41 recommendations to strengthen recruitment and retention of human services workers, as defined
42 in subsection (a) of section 105 of chapter 6A of the General Laws, employed by human services
43 providers, as defined in subsection (a) of section 105 of chapter 6A of the General Laws, that
44 have contracts with the state.

45 SECTION 3. On or before July 1, 2020, the executive office of health and human
46 services, the executive office of elder affairs, the department of housing and community
47 development or the department of early education and care, in collaboration with the
48 Massachusetts Council of Human Service Providers, Inc., shall provide a report to the senate and
49 house committees on ways and means, the joint committee on children, families and persons
50 with disabilities, the joint committee on elder affairs, the joint committee on health care
51 financing, the joint committee on mental health, substance use, and recovery, the joint committee

52 on public health, and the joint committee on state administration and regulatory oversight that
53 includes the following information:

54 (1) the current disparity amount, as defined in subsection (a) of section 105 of chapter 6A
55 of the General Laws, between the salaries of human services workers, as defined in subsection
56 (a) of section 105 of chapter 6A of the General Laws, employed by human services providers, as
57 defined in subsection (a) of section 105 of chapter 6A of the General Laws, and direct support
58 workers or other comparable employees employed by the commonwealth's state-operated
59 programs for human services; and

60 (2) the amount of annual increases in the rate of reimbursement, as defined in subsection
61 (a) of section 105 of chapter 6A of the General Laws, to human services providers necessary to
62 reduce and eliminate the disparity amount by July 1, 2025.