

HOUSE No. 3150

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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>Kay Khan</i>	<i>11th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>

<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>

HOUSE No. 3150

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 3150) of Kay Khan and others relative to wages for certain human service providers. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 151 of the General Laws, as appearing in the 2014 Official Edition,
2 is hereby amended by inserting after section 7 the following section:-

3 Section 7A. (a) The following words and phrases as used in this section shall, unless the
4 context clearly requires otherwise, have the following meanings:-

5 “Human service 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 service 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 service 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 service provider to deliver services to
17 clients on the state’s behalf.

18 (b) The executive office of health and human services, the executive office of elder
19 affairs, the department of housing and community development or the department of early
20 education and care shall reimburse human services providers as provided in this section.

21 (c) The rate of reimbursement for human services providers shall be increased by an
22 amount that:

23 (i) Reduces the disparity amount to 50 per cent on or before July 1, 2019.

24 (ii) Reduces the disparity amount to 35 per cent on or before July 1, 2020.

25 (iii) Reduces the disparity amount to 20 per cent on or before July 1, 2021.

26 (iv) Reduces the disparity amount to 5 per cent on or before July 1, 2022.

27 (v) Eliminates the disparity amount on or before July 1, 2023.

28 (d) 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 (e) On or before July 1, 2018, the executive office of health and human services, the
31 executive office of administration and finance, the executive office of elder affairs, the
32 department of housing and community development and the department of early education and
33 care working with representatives from the Massachusetts Council of Human Service Providers,
34 Inc. shall report to the senate committee on ways and means, the house committee on ways and
35 means, the joint committee on children, families and persons with disabilities, the joint
36 committee on elder affairs, the joint committee on health care financing, the joint committee on
37 mental health and substance abuse, the joint committee on public health and the joint committee
38 on state administration and regulatory oversight their determination of:

39 (i) The disparity amount between the salaries of human services workers employed by
40 human service providers and state employees holding similar job titles and/or state employees
41 who provide similar services to clients; and

42 (ii) The amount of annual increases in the rate of reimbursement to human service
43 providers necessary to reduce and eliminate the disparity amount by July 1, 2023.

44 (f) On or before January 1, 2018 the executive office of health and human services, the
45 executive office of administration and finance, the executive office of elder affairs, the
46 department of housing and community development and the department of early education and
47 care working with representatives from the Massachusetts Council of Human Service Providers,
48 Inc. shall report to the senate committee on ways and means and the house committee on ways
49 and means recommendations to strengthen recruitment and retention of human services workers
50 employed by human services providers that have contracts with the state.

51 (g) The executive office of health and human services, the executive office of
52 administration and finance, the executive office of elder affairs, the department of housing and
53 community development and the department of early education and care shall adopt regulations
54 to implement this section.

55 (h) Nothing in this section shall be construed to prohibit the elimination of the disparity
56 amount prior to July 1, 2023.