

HOUSE No. 00533

The Commonwealth of Massachusetts

PRESENTED BY:

John D. Keenan

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 passage of the accompanying bill:

An Act to clarify seasonal employment.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John D. Keenan</i>	<i>7th Essex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>William "Smitty" Pignatelli</i>	<i>4th Berkshire</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

HOUSE No. 00533

By Mr. John D Keenan of Salem, petition (accompanied by bill, House, No. 00533) of Denise Provost and others for legislation to further clarify the eligibility of benefits for seasonal employment. Joint Committee on Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 1808 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to clarify seasonal employment.

□.

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 151A of the Massachusetts General Laws is hereby amended in section z
2 by striking out section z and inserting in place thereof the following:
3 “Seasonal employer”, an employer that, because of climatic conditions or the nature of product
4 or service, customarily operates all or a functionally distinct occupation within its business only
5 during a regularly recurring period or periods of less than twenty four weeks for all seasonal
6 periods during a calendar year and only includes an employer who voluntarily submits a written
7 application to the commissioner. Such application shall be submitted at least sixty days prior to
8 the beginning of the season.

9 SECTION 2: Chapter 151A of the Massachusetts General Laws is hereby amended in section aa
10 by striking subsection 1 and inserting in place thereof the following:

11 “Has been employed by a seasonal employer in seasonal employment during a regularly
12 recurring period or periods of less than twenty-four weeks in a calendar year for all seasonal
13 periods, as determined by the commissioner, and”

14 SECTION 3: Chapter 151A, Section 24A of the Massachusetts General Laws is hereby amended
15 in subsection e by striking subsection e and inserting in place thereof the following:

16 “If a seasonal employer, after the date of its seasonal determination, operates its business or its
17 seasonal operation during a period or periods of twenty-four weeks or more in a calendar year,
18 the employer shall be redetermined by the commissioner to have lost its seasonal status with
19 respect to that business or operation effective at the end of the then current calendar quarter. The
20 redetermination shall be reported in writing to the employer. An employer notified of a
21 redetermination may file an appeal of the redetermination and obtain review of the
22 redetermination in accordance with sections thirty-nine through forty-two, inclusive.