

**SENATE . . . . . No. 1225**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Jason M. Lewis***

*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 updating overtime protections to protect the Commonwealth's middle class workers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/23/2021</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>3/1/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/10/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/31/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>4/2/2021</i>

**SENATE . . . . . No. 1225**

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By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1225) of Jason M. Lewis, Jack Patrick Lewis, Erika Uyterhoeven, James B. Eldridge and other members of the General Court for legislation to update overtime protections to protect the Commonwealth's middle class workers. Labor and Workforce Development.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1092 OF 2019-2020.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
—————

An Act updating overtime protections to protect the Commonwealth's middle class workers.

*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. The second paragraph of section 1A of chapter 151 of the General Laws, as  
2 appearing in the 2016 Official Edition, is hereby amended by striking out clauses (1), (7), (9),  
3 (12), (13), (14), (15), (16) and (17), and renumbering the remaining clauses in consecutive order.

4           SECTION 2. Section 1A of chapter 151 of the General Laws, as so appearing, is hereby  
5 amended by striking out, in line 29, the words “eighty dollars per week” and by inserting in place  
6 thereof the following words:-

7           the salary threshold established by section 1C of this chapter; provided, however, that an  
8 employee who teaches as an adjunct or non-tenure-track faculty member at a college or

9 university shall not qualify as an exempt executive, administrative or professional person or  
10 qualified trainee for such position.

11 SECTION 3. Chapter 151 of the General Laws is hereby amended by inserting after  
12 section 1B the following section:-

13 Section 1C. Overtime pay salary threshold for executive, administrative or professional  
14 exemption.

15 For purposes of section 1A of this chapter, the salary threshold below which a bona fide  
16 executive, or administrative or professional person or qualified trainee for such position shall  
17 automatically be subject to the overtime pay requirements of said section shall be regular  
18 compensation that, when converted to an annual, full-time equivalent rate, equals the overtime  
19 threshold rate established by the second paragraph of this section, any higher rate that the  
20 commissioner shall establish by regulation, or the annualized rate established by the United  
21 States Department of Labor under the federal Fair Labor Standards Act, whichever is higher.

22 Beginning January 1, 2022, the overtime threshold rate shall be no less than \$43,000;  
23 beginning January 1, 2023, the overtime threshold rate shall be no less than \$53,000; beginning  
24 January 1, 2024, the overtime threshold rate shall be no less than \$63,000; beginning 2025, the  
25 overtime threshold shall be no less than \$73,000, beginning 2026, the overtime threshold shall be  
26 no less than \$83,000; Beginning January 1, 2027 and each January 1 thereafter, the overtime  
27 threshold rate shall be no less than the higher of the following rates: the annual earnings of a full-  
28 time employee employed for 2080 hours per year at 2 times the minimum wage established  
29 under section 1 of this chapter, or the overtime threshold rate from the preceding year increased  
30 by the percentage annual increase, if any, in the second quartile of the usual weekly earnings for

31 full-time wage and salary workers, or its successor index, as published by the United States  
32 Department of Labor, Bureau of Labor Statistics, or its successor agency, with the amount of the  
33 overtime threshold rate increase rounded to the nearest dollar.