Chap. 759. An Act placing fire alarm operators and fire and police signal repairmen in the employ of the city of Waltham in Group 2 under the contributory retirement law.

Be it enacted, etc., as follows:

Section 1. Notwithstanding any provision of chapter thirty-two of the General Laws to the contrary, employees of the city of Waltham who are employed as fire alarm operators and fire and police signal repairmen shall be deemed to be classified in Group 2 of paragraph (g) of subdivision (2) of section three of said chapter thirty-two.

Section 2. Any additional cost incurred because of the provisions of section one shall be borne entirely by the city of Waltham.

Approved August 24, 1970.

Chap. 760. An Act making domestic employees subject to the labor laws.

Be it enacted, etc., as follows:

Section 1. The definition of "Employee" in section 1 of chapter 149 of the General Laws, as appearing in section 1 of chapter 584 of the acts of 1945, is hereby amended by striking out, in lines 4 and 5, the words "engaged in domestic service in the home of the employer, or" and inserting in place thereof the words: — under the age of eighteen engaged in domestic service in the home of the employer, or persons engaged.

Section 2. The definition of "Employment" in said section 1 of said chapter 149, as most recently amended by chapter 646 of the acts of 1945, is hereby further amended by inserting after the word "service", the first time it appears in line 4, the words: — by persons under the age of eighteen.

Section 3. Section 3 of said chapter 149, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "employment", in line 3, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

Section 4. The first paragraph of section 6 of said chapter 149, as appearing in chapter 249 of the acts of 1937, is hereby amended by inserting after the word "employment", in line 2, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

Section 5. Section 10 of said chapter 149, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "employment", in line 3, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

Section 6. Section 17 of said chapter 149, as amended by chapter 585 of the acts of 1961, is hereby further amended by inserting after the word "employment", in line 5, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

Section 7. Section 24C of said chapter 149, as appearing in section 2 of chapter 367 of the acts of 1937, is hereby amended by inserting after the word "employment", in line 6, the words: —, other than places of
employment of persons engaged in domestic service in the home of the employer.

Section 8. Said chapter 149 is hereby amended by striking out section 24I, as so appearing, and inserting in place thereof the following section:

Section 24I. Sections twenty-four A to twenty-four H, inclusive, shall not apply to persons employed in service as farm laborers.

Section 9. The first sentence of section 56 of said chapter 149, as most recently amended by chapter 44 of the acts of 1961, is hereby further amended by inserting after the word “exchange”, in line 10, the words: — , or in domestic service in the home of the employer.

Section 10. The second sentence of section 56 of said chapter 149, as appearing in chapter 200 of the acts of 1935, is hereby amended by inserting after the word “designated”, in line 2, the words: — , and except employers of persons in domestic service in the employer’s home.

Section 11. Section 105C of said chapter 149, as appearing in section 3 of chapter 584 of the acts of 1945, is hereby amended by inserting after the word “employment”, in line 4, the words: — , other than places of employment of persons engaged in domestic service in the home of the employer.

Section 12. The first sentence of section 148 of said chapter 149, as appearing in chapter 416 of the acts of 1960, is hereby amended by striking out, in lines 34 and 38, the words “or in domestic service”.

Section 12A. Subsection (3) of section 2 of chapter 150A of the General Laws is hereby amended by striking out, in line 1, as appearing in section 2 of chapter 576 of the acts of 1964, the word “The” and inserting in place thereof the words: — Notwithstanding any contrary provision contained in section three A, the.

Section 12B. Said chapter 150A is hereby further amended by inserting after section 3 the following section:

Section 8A. Anything contained in this chapter to the contrary notwithstanding as regards sections one, two, three, four (1), four (4), ten, eleven and twelve, the term “employee” shall include any individual, over the age of seventeen, employed in the domestic service of any family or person at his home for not less than sixteen hours per week. In the event of a violation of section four (1) or four (4) by an employer of any such individual, the department of labor and industries shall have all necessary and appropriate powers to conduct an investigation of such violation. The discharge of any such individual, within three months after the making of a report or complaint of any violation of section four (1) or four (4), known to the employer, shall create a rebuttable presumption that such discharge is a reprisal against such individual. In such case, the employer of such individual shall be liable for damages which shall not be less than one month’s wages nor more than two month’s wages of such individual, and the costs of the suit, including a reasonable attorney’s fee.

Section 13. The definition of “Occupation” in section 2 of chapter 151 of the General Laws, as most recently amended by section 2 of chapter 718 of the acts of 1967, is hereby further amended by striking out, in lines 4 and 5, the words “, domestic service in the home of the employer”.

Section 14. Clause 2 of section 3 of said chapter 151, as appearing in section 1 of chapter 432 of the acts of 1947, is hereby amended by insert-
ing after the word "occupation", in line 2, the words: —, other than domestic service in the home of the employer.

SECTION 15. Section 16 of said chapter 151 is hereby amended by inserting after the word "employer", in line 1, as so appearing, the words: —, except employers of persons engaged in domestic service in the employer's home.

SECTION 16. Section 17 of said chapter 151, as so appearing, is hereby amended by inserting after the word "employment", in line 3, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

SECTION 17. Paragraph 3 of section 19 of said chapter 151, as so appearing, is hereby amended by inserting after the word "employment", in line 11, the words: —, other than places of employment of persons engaged in domestic service in the home of the employer.

Approved August 24, 1970.

Chap. 761. An ACT AUTHORIZING THE CITY OF BOSTON TO PENSION EDWARD J. HUNT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good the fire commissioner of the city of Boston, with the approval of the mayor of said city, shall forthwith retire, on an annual pension to be paid by said city in monthly installments, Edward J. Hunt, a fire fighter in the fire department of said city, who is totally incapacitated as a result of injuries sustained by him in the performance of his duty on December the twenty-third, nineteen hundred and sixty-seven, when he fell from the roof of a burning building. Such pension shall be equal to the annual rate of regular compensation which would have been paid him had he continued in service in the grade held by him at the time of his retirement. Upon his death leaving Carol R. Hunt, his wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of three thousand dollars, increased by three hundred and twelve dollars for each child of said Edward J. Hunt during such time as such child is under eighteen years of age or over said age and physically or mentally incapacitated from earning. If said Carol R. Hunt remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid.

SECTION 2. Upon the retirement of said Edward J. Hunt under this act the Boston retirement board shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the State-Boston retirement system.

SECTION 3. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to said Edward J. Hunt relative to his indemnification by said city for any hospital, medical and related expenses which may be incurred by him after the date of his retirement as a result of the aforementioned incapacity.

Approved August 24, 1970.