

HOUSE No. 3980

Message from His Excellency the Governor recommending legislation relative to Disqualifying Certain Persons Subject to G.L. c. 32, § 91(b) from Receiving Unemployment Insurance Benefits. March 7, 2012.

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
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EXECUTIVE DEPARTMENT
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March 7, 2012.

To the Honorable Senate and House of Representatives:

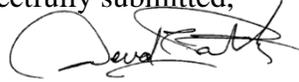
I am filing for your consideration a bill entitled “An Act Disqualifying Certain Persons Subject to G.L. c. 32, § 91(b) from Receiving Unemployment Insurance Benefits.”

This legislation addresses certain individuals who, while collecting a public pension, return to work for a public employer and then apply for and collect unemployment benefits when that employment ends. Public pensioners who return to work for a public employer are permitted by statute to work up to 960 hours per calendar year. They cannot, however, earn more than the difference between the current salary for the position they retired from and the amount of their pension.

This legislation disqualifies those individuals from receiving unemployment benefits once they reach either the hourly or earnings limits. By doing so, it strengthens our unemployment system and strikes the right balance between the interests involved: allowing public employers to utilize retired employees without incurring UI liability – so long as the employee works the full 960 hours or reaches the earnings cap -- and allowing employees to continue to serve the public.

I share your commitment to ensuring that the unemployment system helps the people it was intended to, and rooting out all fraud and abuse. This legislation, coupled with other actions the administration is taking, is an important first step to achieving our collective goals. I urge your prompt and favorable consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a faint circular stamp or watermark.

DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve.

AN ACT DISQUALIFYING CERTAIN PERSONS SUBJECT TO G.L. C. 32, § 91(B) FROM RECEIVING UNEMPLOYMENT INSURANCE BENEFITS.

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. Section 25 of chapter 151A of the General Laws, as appearing in the 2010 Official
- 2 Edition, is amended by inserting after subsection (j) the following new subsection (k):
- 3 (k) Any week in which the individual is barred from working for, or being paid by, the employing unit
- 4 by reason of the provisions of section 91(b) of chapter 32.