



# **Executive Office of Administration and Finance**

## **Bureau of the State House**

### **Policy Manual**

It is the mission and responsibility of the Bureau of the State House to work with the Executive Office, the MA Legislature, state agencies and the MA Historical Commission in preserving, maintaining, and restoring the MA state capitol. We strive to efficiently provide a safe, accessible, clean, and secure seat of government, place of business, museum of art and history as well as a site for public congregation.

Respectfully,  
Tammy E. Kraus, Superintendent

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## ***BUREAU RESPONSIBILITIES***

Bureau responsibilities are outlined in Chapter 8 of the Massachusetts General Laws; a hyperlink to Chapter 8 appears in Appendix A.

## ***GENERAL DEFINITIONS***

AGENCY - Any entity under the jurisdiction of an Executive Office, the Legislature or a Constitutional Office that occupies space managed by the Bureau of the State House.

AGENCY LIAISON - The person designated by a department head to communicate with the Bureau on behalf of the agency for maintenance requests, photo ID access cards, etc. Senators and Representatives shall communicate with the Bureau through the persons designated by the Senate President and the Speaker of the House of Representatives.

BUREAU - The Bureau of the State House sometimes referred to as BSH.

CUSTOMERS - Elected officials, state employees, members of Boards and Commissions, visitors, function attendees, those having business with the Commonwealth and the general public.

HOURS OF OPERATION AND OFF-HOURS - Normal business hours are 9:00 A.M. to 5:00 P.M., Monday through Friday. Business hours for State House Event purposes are 10:00 A.M. to 3:00 P.M. During normal business hours, indoor space temperatures shall be at least 68 degrees F during heating season and no more than 78 degrees F during cooling season. Off-hours are between 6:00 P.M. and 8:00 A.M., all weekends, and holidays, during which periods, indoor space temperatures shall be at least 60 degrees F during the heating season and no more than 80 degrees during the cooling season.

The State Police are available to respond to emergencies at the State House 24 hours per day, 7 days per week.

INCIDENT REPORT - A form generated by the Bureau of the State House to document all safety or security related incidents occurring in, or on, the grounds of the State House. Incident reports are available via the Bureau's website: [www.mass.gov/bsb](http://www.mass.gov/bsb)

SUPERINTENDENT - The Agency Head in charge of the Bureau of the State House.

## ***SPECIFIC DEFINITIONS***

Ashburton Park - The park area outside the State House bounded by the State House Annex, Bowdoin Street, Mount Vernon Street and Derne Street. [BSH Policy 1-4]

Bulletin - Any printed material, poster, computer-generated paper, or paper sign posted to publicize information. [BSH Policy 2-1]

Bureau Parking Facilities - The State House Garage, the McCormack Garage [BSH

Policies 7-1, 7-3, 7-7]

Common Space - Any area within or around a State House that is not considered Office Space. This includes all lobbies, grounds, parking areas, stairwells, elevator banks, etc. [BSH Policies 1-1, 7-6, 25-1]

Community Team - Inmate workers from the Essex County Sheriff's Department whose services are used by the Bureau for general maintenance and grounds keeping under the supervision of the Essex County Sheriff's Department. [BSH Policy 11-1]

Emergency Response Plan - The emergency response plan established for the State House. Copies of the truncated Emergency Response Plan are available in each office and the Bureau's Administrative Offices. The full Occupant Emergency Plan is posted on the Bureau's website ([www.mass.gov/bsb](http://www.mass.gov/bsb)). [BSH Policy 16-1]

Flag Code - Title 36, Chapter 10, Section 173-178 of the United States Code. The customs and traditions of the United States Flag have been codified for the purpose of establishing a common and accepted usage throughout the United States and its possessions. The Code specifies the proper treatment of the Flag and outlines situations in which the United States Flag should be flown at Half-staff on federal properties and jurisdictions. [BSH Policies 22-1, 22-2, 22-3]

Emergency Team Leader - Agency personnel trained to advise and direct fellow tenants during emergencies, evacuations, and drills. [BSH Policy 16-1]

Foreign Flag - Any flag or emblem of a foreign country. [BSH Policy 22-3]

Front Lawn - The lawn surrounding the front steps of the State House. [BSH Policy 2-1]

Front Sidewalk - The area on the north side of Beacon Street between the front gate and curb. [BSH Policy 2-1]

Front Steps - The area between the Main Gate and Doors 2 and 4 at the front of the State House. [BSH Policy 2-1]

Governmental Entities - State agencies under the executive branch, constitutional offices, legislative bodies, boards, and commissions. [BSH Policy 1-1]

Half-staff - The flying of flags at a position halfway between the ground and the top of the flagpole. Flying flags at half-staff is a traditional way of showing respect for the dead and sympathy for the survivors and/or the cause in which death occurred. [BSH Policy 22-2]

Handicapped Accessible Parking Space - Any space marked with an HP sign that is designated strictly for the use of persons with physical disabilities. [BSH Policies 7-1, 7-4, 7-7]

Illegal Parking Space - Any space within the facility that is marked with a "NO PARKING" or a "FIRE LANE" sign, and other area which is clearly hazardous. [BSH Policies 7-1]

Loading Dock Hours of Operation - The hours designated by the Superintendent of State House during which vendors may deliver goods and or/services. [BSH Policy 9-1]

Loss - The theft of items from a vehicle that is parked in the State House parking facility or the theft of the vehicle itself. [BSH Policies 7-1, 7-3]

Lost and Found Center - The location where property lost in the State House can be claimed, and where property found can be deposited. The Lost and Found Center is located in the DCR Ranger Station (Room 5, State House). [BSH Policy 23-1]

Lost Property - Any item of personal property that is found in the State House. This includes clothing, jewelry, checks, credit cards and money. [BSH Policy 23-1]

Modification - Any work done to substantially replace or reconfigure office space. Any work that will require additional electrical or heating and cooling or will impact the air distribution systems in an office area. This includes changing carpets, moving portable wall partitions, etc. [BSH Policy 10-1, 10-2]

Non-Governmental Entities - Individuals, businesses, private groups, and non-profitbusiness corporations. [BSH Policy 1-1]

Office Space - The space in a State House that is set aside for agency use, staffed by state employees or others appointed by the Governor. [BSH Policies 1-1, 7-6, 10-1, 10-2]

Official Sponsor - A constitutional officer, secretariat head, senator, representative or agency head who agrees to be the sponsor for an entity holding a function in the State House Function Space during State House Regular Business and Non-Business Hours. [BSH Policy 1-2]

Pet - An animal kept for ordinary use and companionship. A pet is not considered a Service Animal and is not covered by the ADA or this policy. [BSH Policy 27-1]

Photo ID Access Card - The photo ID card that is issued to state employees that provides access to various state facilities. [BSH Policies 7-1, 7-5, 7-6, 8-1, and 19-1]

POW/MIA Flag - The name given to the National League of Families POW/MIA Flag. [BSH Policy 17-4]

Recyclable Material - Materials used within the office environment that can be reused or reprocessed for future use. The Bureau's recycling contractor collects mixed paper, including adding machine tape, catalogs and brochures, computer paper, envelopes, manila file folders, letterhead, bond paper, post-it notes, fax paper, newspaper, phone books, boxes, etc. [BSH Policy 12-1]

Regular Working Hours - Normal business hours are determined by the Bureau to be 9:00 A.M. to 5:00 P.M., Monday through Friday. During these hours it is the mechanical maintenance contractor's responsibility to adequately maintain the HVAC equipment to

assure an indoor space temperature of 72° F with a range of plus or minus 2° F. Normally the temperature in any area of the building shall not fall below 68° F during occupied heating hours and above 78° F during occupied cooling hours. [BSH Policy 13-1]

Renovation - Any major work done to alter office space. This would include ceiling work, floor work, adding or removing walls, and any work that could disrupt the flow of ventilation, heating, and cooling. [BSH Policy 6-1]

Service Animal - Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

Emotional support, therapy, comfort, or companion animals are not considered serviceanimals under the ADA. [BSH Policy 27-1]

Service Charge - Charge for employee labor costs for Bureau personnel or contractors to oversee an event. [BSH Policy 1-2]

State House Business Hours - Monday to Friday, 9:00 A.M. to 5:00 P.M. [BSH Policy 1-2]

State House Function Space - All areas in the State House deemed suitable for supporting a function. Areas include the Great Hall, Nurses' Hall, the Grand Staircase and Gardner Auditorium. Memorial Hall and Doric Hall are available under specific circumstances when approved by the Superintendent. [BSH Policy 1-2]

State House Non-Business Hours - Weekdays, 6:00 P.M. -8:00 A.M, and Saturdays, Sundays, and Holidays. [BSH Policy 1-2]

User Fee - A flat fee paid by function organizers to the State House Special Event Fund to compensate for wear and tear on the building, utility costs and other general operating expenses. [BSH Policy 1-2]

West Lawn - The lawn surrounding the West Wing of the State House. [BSH Policy 1-4]

Work Order System - A system for the timely completion of work by Bureau Staff. The Trades and Building Managers assigns Bureau Staff to electrical, carpentry, painting, cleaning, small furniture, picture arranging and masonry projects in accordance with priorities established by the Superintendent. [BSH Policy 7-1] In order to provide better service to our customers the Bureau has instituted CAMIS, an online work order request system, which the Bureau liaisons can access through our website. This system allows the Bureau to schedule and track work orders more effectively. All requests for work must be completed through the CAMIS system and not by telephone.



# ***Policies of the State House***

## ***1-1 State House Functions/Use of State House Space***

### **POLICY**

It is the policy of the Bureau of the State House to limit the use of Office Space and Common Space to its tenants and other state agencies. Solicitation, sales, charity, recruitment, and distribution of information in Bureau facilities are prohibited unless approved by the Superintendent. Any group that wishes to use state office building space for other than work-related purposes must file a written request in advance with the respective building manager and receive written approval from the Superintendent. It is the policy of the Bureau of the State House that events scheduled in the public spaces (interior or exterior) that are under the auspices of BSH be scheduled with the State House Event Coordinator at least 14 days but not more than 6 months in advance. Exceptions to this policy can only be approved by the Superintendent. All events must be officially sponsored by a member of the General Court (that is, a House or Senate member, a Constitutional Officer, or the Executive Office).

### **PROCEDURE**

Any state agency head or constitutional office may reserve function space for a constituent group. Private groups and other Non-Governmental Entities must obtain sponsorship from an Official Sponsor. Any party wishing to hold a function or event in the State House must request an application from the Office of the Superintendent. The State House Event Coordinator reviews and processes all applicants. Applicants will receive a copy of the Bureau's "Terms, Conditions and Policies for Functions" booklet and must agree in writing to adhere to the terms therein. Event/promotion businesses and function coordinators must identify their clients and obtain an appropriate signature of an officer of their corporate client on the application.

Daytime event applications must be completed with a floor plan and submitted to the State House Event Coordinator no less than two (2) weeks prior to the event date.

After-hours event applications must be completed with a floor plan and submitted to the State House Event Coordinator no less than 30 days prior to the event date.

Applications for events for more than 750 attendees will not be accepted. Upon approval of the application, The State House Event Coordinator will arrange an appointment to walk through the area with the applicant. Non-Governmental Entities will be required to enter into a written agreement indemnifying the Commonwealth against any claims for casualty liability. All invoices related to State House events must be paid in full no less than one week prior to the scheduled event date or the event will be re-scheduled.

### **ROOM CAPACITY**

Great Hall

240 seated guests

400 standing guests

Grand Staircase

100 seated guests

250 standing guests

Nurses' Hall  
50 seated guests  
00 standing guests

Gardner Auditorium  
600 seated guests

## CANCELLATIONS

Cancellation of an event may occur under the following circumstances:

- The Superintendent may, at her/his discretion, postpone or cancel any function, if the security and safety of the State House, or its occupants or visitors may be compromised or conflict with any security measures in place. The Superintendent may, at her/his discretion, postpone or cancel an event, or alter the security requirements of an event, if the Department of Homeland Security raises the warning level of the Terrorist Threat Alert System. If an event is postponed due to an unforeseen security issue, the alternate date will be determined by the State House Event Coordinator and the event sponsor.

## SECURITY REGULATIONS

- Attendees of State House functions are required to enter and exit through set checkpoints staffed by security personnel.
- Attendees of State House functions must submit to security screening of themselves and personal affects.
- Attendees of after-hours functions are limited to the physical space for which the function is reserved. Attendees may not leave the designated function space unless exiting the facility. Attendees touring the facility or in otherwise restricted areas will be escorted from the facility.
- **No smoking** is allowed in state buildings. Attendees who leave the function for any purpose, including smoking will be subject to screening at the security checkpoint upon re-entry.
- Any attendee who purposely or inadvertently compromises the security or safety of the building or occupants will be removed from the function and subject to prosecution.
- Events are limited to the attendance level approved on the application. Events exceeding the registered attendance will be subject to an additional charge, which will be established at the discretion of the Superintendent. Under no circumstances will the maximum attendance limit be exceeded. Security personnel will be directed to bar further entrance when the maximum capacity is reached.
- Food can be served only in the Great Hall, Grand Staircase and Nurses' Hall, located on the second floor of the State House
- Neither ice sculptures nor balloons are allowed in the State House.
- No paper, cardboard, foam core, wooden, etc. event related signs shall be displayed on walls, pillars, floors and or ceilings. All event related signage must

be displayed on easels in approved space.

- Handheld signage must be made of paper materials and cannot be supported on or by sticks and or poles of any sort.
- Open flames are not allowed in the State House.
- Entrance through the front center stairs is strictly limited to official state events.
- The landing atop the Grand Staircase is not State House Function space and may not be used for events under any circumstances.
- The use of Memorial Hall is strictly limited to Veterans groups and other state sponsored activities. No food or beverages are allowed in Memorial Hall.
- **Weddings, graduation parties, birthday parties or political activities of any kind are not allowed in the State House or on State House grounds.** Events having in excess of one hundred fifty (150) attendees require additional security and cleaning staff. Fees may be charged to the user to cover the Bureau's extraordinary expenses. The Superintendent reserves the right to make the final decision to accept or deny the use of any function application.

## FEES

A user fee has been established for the daytime use of State House function space. This fee includes the reservation of the physical space, Bureau staff to monitor and assist in the event setup, breakdown and operation and an appropriate cleaning staff. The fee structure is as follows:

1-150 guests	\$1,900.00
151-450 guests	\$3,200.00
451 – 750 guests	\$4,750.00

A user fee has been established for the after-hour use of State House function space. All fees include the reservation of the physical space, Bureau staff to monitor and assist in event set-up, breakdown and operation, and an appropriate cleaning staff. The fee structure is as follows:

1-150 guests	\$4,000.00
151-450 guests	\$5,300.00
451-750 guests	\$6,800.00

All fees must be paid one (1) week prior to the event, with no exceptions. The Office of the Superintendent through the State House Event Coordinator may cancel any event not paid in full by the payment deadline. See the State House Event Packet for details on payment. The fee schedule may be adjusted from time to time. Please check with the Event Coordinator to determine the most recent schedule.

## AFTER HOURS EVENTS

All after-hour events are subject to additional security personnel. Due to the varying types and circumstances of events, the exact number of additional security personnel and/or State Police Troopers will be determined on a case-by-case basis by the DCR Rangers and the MA State Police in consultation with the Bureau's Director of Security. Circumstances that may affect the number of security personnel assigned include, but

are not limited to; size of the event, whether alcohol is served, any special security issues at the building and the local and national terrorist threat alert level.

Minimum-security requirements include sufficient security personnel to screen all attendees; screen all deliveries and service personnel; secure the perimeter of the event location; patrol the event; and provide for necessary emergency and routine patrol response.

The cost for additional security is the responsibility of the private function coordinator and must be paid directly to the agencies providing the security services a minimum of 3 days prior to the event's scheduled date.

## ***2-1 State House Grounds and Exterior Spaces***

### **POLICY**

It is the policy of the Bureau of the State House to allow use of State House Grounds and exterior spaces to facilitate access to its buildings and to those agencies that are tenants in a manner consistent with the business of the Commonwealth and the safety of the public. It is also the policy of the Bureau to allow only official state functions on State House Grounds or exterior spaces. All official state functions must be arranged through the State House Event Coordinator at least seven days but not more than six months, in advance. Agencies requesting events in excess of 100 attendees may be responsible for security and cleaning fees charged back to the host agency.

Persons occupying or otherwise traversing State House Grounds are required to obey federal, state, and local law at all times. During hours of darkness, State House Grounds and exterior spaces are closed to the public except as necessary to enter or depart the State House in furtherance of official Commonwealth business.

Persons within the confines of State House Grounds must comply with any reasonable direction given by a police officer, any BSH employee or a DCR Park Ranger. This includes the reasonable security search of bags and other belongings that may contain destructive weapons.

### **PROCEDURE**

Any agency wishing to hold an official state event on the grounds of the State House must submit an application to the Superintendent's Office via the State House Event Coordinator. Applicants will receive a copy of the Bureau's ***Terms, Conditions, and Policies for Functions***, booklet and must agree in writing to adhere to the terms which include payment of security, maintenance, cleaning, and other costs associated with extended hours.

Agencies must submit a written request at least three business days in advance of the date.

### **RESTRICTIONS**

- Only state agencies, or charitable foundations with the permission of the Superintendent (in agreement with the House of Representatives and the Senate), are permitted to hold functions on State House Grounds.
- Only State Agencies or charitable foundations with a waiver from the Superintendent of the Bureau of the State House (such as e.g. MA Law

Enforcement Memorial Foundation and the MA Fire Fighter Memorial Foundation) are permitted to hold functions in Ashburton Park.

- Only lawful conduct is permitted on State House Grounds. Disturbing the peace, littering, vandalism, canvassing or begging for alms, possession of intoxicating liquor or illegal drugs, and/or any violation of state, federal, or local statute will result in removal from State House Grounds and/or prosecution for violation of applicable law.
- Excessive noise is prohibited on State House Grounds. Music and/or amplified sound after 7:00 P.M. is prohibited.

Persons on State House Grounds are prohibited from: occupying flower beds; climbing trees or bushes; and laying or standing on benches, balustrades, railings, seats, fencing, walls, cultivated grounds, statues or lawns except such lawn areas designated as sitting areas.

- Firearms, destructive weapons, firecrackers or fireworks, fires, and any dangerous devices or practices are prohibited from State House Grounds or exterior space.
- Use of vehicles of any sort (to include bicycles, scooters, skateboards, roller skates, hoverboards, and the like) is prohibited from State House Grounds. Exceptions shall be wheelchairs, other power-driven mobility devices as defined by Title II of the ADA, baby strollers and like conveyances for the mobility impaired and small children.
- Service animals under the control of their owners are permitted on State House Grounds.
- Dogs not on leashes or on leashes longer than eight feet and cats not under the control of their owners are prohibited from State House Grounds.
- Political activities and commercial enterprises are prohibited on State House Grounds.
- Any activities that impinge upon the ability of others to traverse or lawfully enjoy occupancy of State House Grounds are prohibited. This prohibition includes, but is not limited to ball games, Frisbee playing, loud music, skiing, and skating.

#### **SPACES DEFINED**

- State House Grounds (Exterior Spaces) – The property owned by the Commonwealth of Massachusetts which is within the gates of the State House.
- Ashburton Park - The park area outside the State House bounded by the State House Annex, Bowdoin Street, Mount Vernon Street and Derne Street.
- Front Lawn - The lawn surrounding the Front Steps of the State House.
- Front Sidewalk - The area on the north side of Beacon Street between the front gate and curb.
- Front Steps - The area between the Main Gate and Doors 2 and 4 at the front of the State House.
- West Lawn - The lawn surrounding the West Wing of the State House.
- State House Front Sidewalk - No BSH or State House restrictions exist, as this area is under the jurisdiction of the City of Boston, Department of Transportation. A permit must be obtained by the City of Boston for any events or demonstrations. \*NO SIGNS are permitted on State House fence.

### ***3-1 Access to State House Roof***

## **POLICY**

It is the policy of the Bureau of the State House to strictly control access to roof areas, including any structures, balconies, chimneys, water towers, mechanical rooms or equipment, generators, or other equipment and/or utility areas located on, and/or accessible from the roof of the State House.

It is also the policy of the Bureau of the State House (BSH) to comply with all applicable federal and state legislation as well as the National Fire Protection Codes, Industrial Security Regulations, and Life Safety Codes concerned with roof access safety and existing security regulations and procedures.

## **PURPOSE**

To establish standard procedures for access to all Bureau facility roofs that promote safety, security, and structural integrity in accordance with the standards set and published by the National Institute for Occupational Safety and Health (NIOSH) and the security requirements of Bureau Facilities.

### Specific policy components:

- Access to roof will be limited to essential, authorized personnel only.
- Roof access will only be granted to pairs of individuals (two on, two off).
- Supervisors and managers will follow established Bureau procedures to control all access to roof areas of the Massachusetts State House. Roof access will be permitted only in accordance with established safety and security procedures.
- The State House roof is a complex, sensitive, and potentially dangerous workspace and cannot be used for any purpose other than the intended function of providing weatherproof covering for the structure. Neither roof access areas nor roofs will be used for storage.
- Roof access areas will be secured at all times. Security is essential for safety and protection of the roof system. Any roof access point found unsecured, or not securable, should be reported to BSH, DCR 617-722-1188 and/or the Control Center at 617-727-1000.
- All laws and regulations governing smoking on state property are in full force and effect at all times. This includes all BSH roofs and roof access points.

## **PROCEDURE**

Access to the State House roof must be authorized, in advance, by the Superintendent, her/his designated representative or the Safety Director. Authorization to access any roof area will be contingent upon the need to provide a service, repair, or other function that enhances the operation of the facility.

When granting roof access, designated representatives of the Superintendent will insure that persons authorized are instructed to comply with safe operating procedures and security requirements at all times when working on roof systems. If any portion of the roof or roof detail is to be altered during work, prior authorization must be obtained from the Superintendent of the Bureau of the State House or her/his designated representative.



#### Specific procedural components:

- All persons should use approved, designated roof access points only.
- Roof access is authorized only to teams of two or more individuals. Daily scheduled cooling tower inspection is the only exception, is restricted to the cooling tower enclosure, and can be performed by one qualified individual who must follow access, egress, and communications guidelines.
- All persons authorized under this policy must remain within sight of each other at all times and have a means of communicating with each other and with the Control Center.
- Roof access can only be granted to persons utilizing all necessary safety and protective equipment, including footwear.
- Roof access will be monitored at all times. The DCR Rangers (617-722-1188) and the Control Center (617-727-1000) must be notified both when access is gained and also when the roof area is vacated.
- Unsafe conditions or practices, the use of faulty or unsafe equipment, or any disturbance to the roof system or adjacent components must be reported immediately to the Control Center at 617-727-1000, the Safety Director and the work supervisor.
- When walking on the roof, stay on walk treads where provided, avoid stepping on roof blisters or other deficiencies, and do not approach closer than fifteen (15) feet to an unprotected edge.
- When crossing firewalls, parapets, or expansion joints, caution must be exercised to prevent “kick holes” in base flashing, movement of metal caps, or tearing of expansion joints.
- Access to roof areas will be restricted during periods of inclement or unsafe weather. This means that roof systems such as drains must be maintained and prepared to operate properly in times of inclement weather removing the need to service roof systems during hazardous times.
- Caution must be exercised when working with tools on roof surfaces, by using a protective layer of plywood or other material. When working with chemicals it is essential to prevent spills or other situations that might damage the facility or expose tenants to health risks. Avoid pushing, pulling, or dragging equipment or tools across the roof.
- All debris, obsolete material, containers, tools, etc., must be removed at the end of each work shift.
- All keys necessary to gain access will be kept in the appropriate Key Watch system.

#### **EXCEPTIONS:**

Any exception to the policies contained within this document must be requested in writing to the building manager and approved in writing by the Superintendent and the Director of Safety and Security.

#### ***4-1 Guidelines for State House Special Event Fund***

## POLICY

The Special Event Fund was established in 1995 with the enactment of Massachusetts General Laws Chapter 10, section 35P. Also in 1995, Chapter 8 of the General Laws, which governs the operation of the Bureau of the State House, was amended to add section 9A. Both statutes authorize the Superintendent, subject to the approval of the Joint Committee on Rules of the House and Senate acting concurrently, (hereinafter the "Joint Committee"), to expend up to \$200,000 from the fund for event related event equipment, educational and cultural programs at the State House.

The following guidelines are used by the Superintendent in authorizing disbursements from the Special Event Fund.

Funds are used to cover certain expenses for:

- The actual production costs incurred by BSH associated with the specific events, specifically the cleaning, staffing and management costs.
  - Major annual State House events sponsored by the Bureau or executive branch offices, such as the annual Christmas Tree Lighting Ceremony, Menorah Lighting Ceremony, Governor's State of the State Address, inaugural ceremonies, and musical performances by school groups during the winter holiday season.
  - Replacing damaged and obsolete equipment.
1. The Bureau accepts suggestions from the State House community for other educational and cultural events that are of general interest and would draw a large audience. Proposals for possible performances at the State House sponsored by this Fund may be made to the Superintendent and must be in writing. They may include:
    - Chamber concerts
    - Lectures
    - Demonstrations of historical or scientific nature
    - Seminars
  2. The Superintendent subject to the approval of the Joint Committee on Rules of the House and Senate acting concurrently, (hereinafter the "Joint Committee") may approve funds for reimbursement for the following costs associated with special events:
    - Transportation, including bus rental
    - Food to be served to guests or to performing groups
    - Rental or purchase of equipment related to performances or media presentations such as special audiovisual, sound, or lighting equipment.
  3. The Superintendent may, subject to the approval of the Joint Committee on Rules of the House and Senate acting concurrently, (hereinafter the "Joint Committee") authorize payment for a contribution to non-profit performing groups to help offset their operating expenses or expenses incurred to enhance public performances and events. These operating expenses may include the costs of rehearsal halls, piano tuning and the purchase of printed music and music stands, etc.
  4. The Bureau will not pay salaries or stipends for any group's staff expenses.
  5. All programs that encourage taxpayers and citizens from across the state to visit



their State House and better understand its history and present-day use as the Seat of Government will be considered on their merits for funding.

## ***5-1 Posting of Posters/Notices***

### **POLICY**

No posted material shall be affixed to walls, doors, or elevators. No political campaign materials shall be displayed or posted in Bureau facilities.

### **PROCEDURE**

All posters/notices must be pre-approved by the Superintendent of the State House or his/her designee. If approved, posters/notices may be posted at a location determined by the Bureau. Failure to adhere to this procedure will result in the removal of posted material.

When permanent signs are needed, the Bureau will install them. Agencies may install signs with Bureau consent, provided that they are consistent with other signs on the same floor and are ADA compliant.

## ***5-2 The Approval and Hanging of Banners in Front of the State House***

In April of 2014, the Bureau of the State House, in agreement with the Executive Office of Administration & Finance, the MA State Senate and the MA House of Representatives eradicated its policy approving the displaying of banners from the front balcony of the MA State House.

## ***6-1 Smoking in the State House***

### **POLICY**

Effective August 25, 1997, the Bureau's Smoking Policy prohibits smoking in any area of the State House, including bathrooms, stairwells, and garages in accordance with M.G.L. Chapter 270, section 22. This law supersedes Administrative Bulletin 87-1 promulgated by the Executive Office of Administration and Finance, which was the basis of previous Bureau Policy. Section 22 provides, in pertinent part:

*No person shall smoke in the state house or in any building owned by the commonwealth or in any space occupied by a state agency or department of the commonwealth, which is located in another building, including any private office in any such building or space mentioned in this sentence, notwithstanding the provisions of the last paragraph. The provisions of the foregoing sentence shall not apply to residents or patients of state hospitals, the Soldiers' Home in Massachusetts, the Soldiers' Home in Holyoke and any substance abuse treatment center under the jurisdiction of the commonwealth.*

### **PROCEDURE**

Any person who observes a violation of this policy should report the violation to the agency head, cabinet officer or legislative chairman supervising the offending employee. The person observing the violations should also alert the Director of Security

for all violations. Bureau staff members have an obligation to help identify the agency of an offending party and report or verify violations to the agency head.

## ***7-1 Parking***

### **POLICY**

It is the policy of the Bureau of the State House to allow only authorized personnel to park in the State House garage, loading dock and alleyway. The use of an active BSH-issued Photo ID Access Card shall be required for admittance into the State House parking garage. Unauthorized vehicles parked in a Bureau Parking Facility (State House garage, loading dock and or alleyway) will be removed at the owner's expense. By accepting parking privileges, users agree to save harmless the Commonwealth and its agents from any Loss or Damage incurred while using Bureau parking facilities.

### **PROCEDURE**

Liaisons are responsible for assigning all parking spaces allocated to their agency, this includes determining the needs of employees with disabilities and meeting those needs through the agency's allocation.

No vehicle shall park in an Illegal Parking Space.

No vehicle shall park in a Handicapped Accessible Parking Space without proper HP identification.

Illegally parked vehicles are subject to tow and/or the loss of parking privileges.

No vehicle shall gain access to the SH garage, except by the use of a Photo ID Access Card. (The Photo ID Access Cards of personnel authorized to park in the State House garage will be programmed to allow access into that garage only.)

Each SH employee authorized to park in the McCormack Garage will be assigned a windshield placard (by DCAMM) for either a reserved parking space on one of the two upper levels or an unreserved space available on the two lower levels on a "first come, first served" basis. If a person authorized to park in the McCormack Garage forgets his/her Photo ID Access Card, please reach out to DCAMM Security. If the Photo ID Access Card is lost, there is a \$12 replacement fee (State House / McCormack garages) (cash is NOT accepted, personal check only).

If no legal spaces are available in the McCormack Garage, the vehicle can choose to proceed to the lot at the corner of Merrimac and Staniford Streets adjacent to the Lindemann Building. The entrance to this lot is located on Staniford Street. A McCormack windshield placard is considered valid permit for this lot.

## ***7-2 Temporary Visitor Parking***

### **PURPOSE**

To accommodate agencies and constitutional offices by providing limited Temporary Visitor Parking for persons needing to travel to the Government Center Complex to conduct business with agents of the Commonwealth of Massachusetts.

## **POLICY**

The Bureau of the State House does not have the ability to provide temporary parking. Arrangements for Temporary Visitor Parking must be made between the DCAMM Parking Administrator located in Room 13 and the Agency Liaison – at least 24 hours in advance.

### ***7-3 Loss of or Damage to Vehicles in Bureau Parking Facilities***

## **POLICY**

It is the policy of the Bureau of the State House to assume NO responsibility for Loss of, or Damage to, vehicles parked in a Bureau Parking Facility. By accepting parking privileges, users agree to save harmless the Commonwealth and its agents from any such Loss or Damage.

## **PROCEDURE**

Although the Bureau assumes no responsibility, any incidents regarding the Loss of or Damage to a vehicle or its contents should be reported to the Director of Safety /Security in Room 13. Claims may be forwarded to the Executive Office for Administration and Finance, Attention: Tort Claims, State House, Room 373, Boston, Massachusetts 02133. All claims should include the following language: "This letter serves as a notice of presentment as required by Massachusetts General Laws Chapter 258, Section 1 et seq."

### ***7-4 Handicapped Accessible Parking***

## **POLICY**

Handicap Accessible Parking Spaces are assigned from within an agency's allotted number of parking spaces, not in addition to the authorized number of spaces assigned.

## **PROCEDURE**

All parking spaces in Bureau garages, including Handicapped Accessible Parking Spaces, are assigned through Agency Liaisons. Agencies can meet their needs for handicapped parking in two ways.

- Regulation Spaces. There are regulation sized Handicapped Accessible Parking Spaces in the McCormack Garage, all of which are assigned according to a waiting list. Historically, these spaces have been assigned to employees with permanent disabilities with HP license plates on a "first come, first served" basis. Once the user leaves state service, the parking space reverts to DCAMM for reassignment to the next agency on the waiting list. An HP license plate or placard is required in order for a person to be considered for assignment to one of these Handicapped Accessible Parking Spaces
- Non-Regulation Spaces (out of agency allocation). Regularly allocated spaces may be used by Agencies to meet their needs. These spaces are NOT regulation

size.

It is the responsibility of each agency to determine the needs of its employees and assign the allocated spaces justly. If an agency needs a Handicapped Accessible Parking Space and is at its space allocation limit, that agency must reassess its parking allocations and make adjustments to accommodate the handicapped parking need using its own allotted number of spaces.

### ***7-5 Access to the State House Garage***

#### **POLICY**

It is the policy of the Bureau of the State House to keep all doors locked which permit access to the building from the outside, including the loading dock, and State House Garage doors. It is the practice of the DCR Rangers to staff the State House Garage and Loading Dock entrance at all times. Admittance to the garage shall be by Photo ID Access Card only.

#### **PROCEDURE**

The Photo ID Access Cards issued to authorized users are programmed to open the electronic overhead doors at the entrance to the garage. Therefore, authorized users have access to the garage 24 hours per day, 7 days per week.

The Senate President and the Speaker of the House shall designate and assign all spaces in the State House Garage to members of the General Court. Their offices hold the members responsible for the proper use of the Photo ID Access Cards issued to them. If a Photo ID Access Card is lost, there is a \$12 replacement fee. Authorized users should report any safety or security issues to the Park Rangers and should file Bureau incident reports for specific breaches of security.

### ***7-6 Bicycle Parking***

#### **POLICY**

It is the policy of the Bureau of the State House to provide outdoor and/or indoor bicycle racks for the use of state employees who work in the State House. Bicycles shall not be ridden or walked through the lobbies/hallways of the State House or parked in any Office Space or Common Space, except where designated for bicycle parking.

#### **PROCEDURE**

Employees should use the bicycle racks provided on the 2<sup>nd</sup> floor of the SH garage, on Derne Street, at the General Hooker walkway or adjacent to the DCR Park Ranger Security Booth on Bowdoin Street. The Photo ID Access Cards of all employees who work in the State House have been programmed to allow access to the garage through the pedestrian doors of the loading dock only. Note – access to bicycle rack at the General Hooker walkway is from 8am to 6pm – Monday thru Friday ONLY.

### ***7-7 Citations & Towing***

## **PURPOSE**

To ensure a safe and orderly parking facility for authorized personnel.

## **POLICY**

It is the policy of the Bureau of the State House to have vehicles removed from a Bureau Parking Facility that create a hazard to the facility and or its occupants. Further, the Bureau of the State House reserves the right to work with the Legislature and DCR to have any vehicle that cannot be properly identified as an authorized vehicle, removed without warning from its garage, loading dock or alleyway. Such vehicles will be towed under DCR supervision and at the owners' expense.

## **PROCEDURE**

Any person who fails to follow designated parking procedures may be issued a Parking Citation by the Massachusetts State Police and or DCR.

Unacceptable parking procedures include:

- Parking in a space marked "No Parking" or "Fire Lane"
- Parking in a Handicapped Accessible Parking Space without RMV-issued HP plates or placard
- Blocking access to a Handicapped Accessible Parking Space or other identified parking space
- Blocking access to an entrance or exit, blocking a legally parked vehicle, or parking in or across more than one space
- Parking in a space reserved issued to another individual
- Parking in an unauthorized location

Any vehicle receiving a Parking Citation will be subject to removal at the owner's expense. Unidentifiable vehicles may be towed without prior notice. Violations may result in the suspension or forfeiture of parking privileges – to be determined after consultation with the agency liaison.

### ***8-1 Maintenance of Records of Photo ID Access Card Activity***

## **POLICY**

The Bureau of the State House is responsible for maintaining Photo ID Access Card activity records.

## **PROCEDURE**

Each time a Photo ID Access Card event is completed, information from that event is stored in the security/access system as a record. The stored records make up the event database.

### ***9-1 Loading Docks***

## **POLICY**

It is the policy of the Bureau of the State House to limit the Loading Dock Hours of Operation and to schedule all deliveries in advance (via the State House loading dock form on the [www.mass.gov/bsb](http://www.mass.gov/bsb) website). The Bureau also requires prior written authorization for contractors who wish to utilize the loading dock after hours. All contractor access, deliveries, and pick-ups are to be accomplished via the SH loading dock.

## **PROCEDURE**

The following are the designated hours of operation for Bureau loading dock:  
Monday through Friday 9:00 A.M. - 5:00 P.M.

The hours of operation are posted at the loading dock. At time of entry all vendors, contact personnel, and delivery personnel must provide the following information: name, time in/out, company, destination, and vehicle registration number. Personnel wishing to enter the State House unescorted must submit a government-issue Photo ID which will be held in return for a BSH-issue Contractor or Delivery ID. In addition, all persons and materials entering Bureau facilities are subject to search before entry.

All contractor access must be scheduled in advance. Contractors working in the State House shall be scheduled in advance using the web form found on the Bureau's web site <https://www.mass.gov/bsh>. It shall be the responsibility of the Director of Operations to review all contractor activity on a weekly basis. The Director of Operations and DCR shall report all infractions to the Bureau's Director of Safety / Security and file appropriate incident reports. No contractor shall be given access to the loading docks without producing a contractor work permit signed by the Superintendent or his/her designee.

All deliveries must be scheduled in advance. Deliveries to the State House shall be scheduled using the web form found on the Bureau's web site <https://www.mass.gov/bsh>. Delivery trucks are generally limited to 30 minutes at a loading dock. Delivery and contractor personnel must shut off the engines of their vehicles, leave the keys with a DCR Park Ranger, and follow all instructions of the Ranger. If a company or individual repeatedly fails to follow procedures, that company will be given a warning. If problems persist, that company will be banned from the State House loading dock for at least thirty days.

When a contractor is working in the building after hours the contracting agency is responsible to provide escorts for all contractor personnel unless appropriate background checks have been completed. The Bureau may, at its discretion, require extra personnel, such as Bureau staff or DCR Rangers through its contractor.

### ***10-1 Renovation/Modification of Office Space by Bureau Tenant Agencies***

## **POLICY**

It is the policy of the Bureau of the State House that any agency wishing to modify or renovate office space must notify the Bureau and receive written approval from the

Bureau on the Contractor Work Permit form prior to beginning any such projects.

## **PROCEDURE**

Any Bureau tenant agency wishing to modify or renovate its office space shall notify the Bureau in advance through the permit application process. Permit forms are available from the Bureau's website or Superintendent's Office located in Room 1 of the State House. The notification shall include the scope of work, the hours during which work will be performed, and the names of the contractors performing the work. The agency shall also notify the Superintendent of any substantial renovation project. Outside contractors hired by agencies to perform services must show written proof of Bureau approval and workers must have CORI's performed prior to the project commencing. For major renovations the tenant, through BSH, must obtain a building permit from the Department of Public Safety at 617-727-3200 and an electrical permit from the City of Boston at 617-735-5300.

The Bureau is not responsible for providing materials or labor for any modification or renovation of office space.

### Terms and Conditions for Renovation or Modification of Office Space by outside vendors:

- All approved construction shall be performed in a professional manner using only first-class materials.
- Quality control is the responsibility of the applicant and is subject to review and inspection by BSH.
- The applicant shall redo or replace at its own expense any work not approved by BSH due to material or workmanship.
- All work is to be performed in a manner that will cause a minimum of inconvenience to the facility's employees and the public.
- The applicant shall not allow the accumulation of debris in or about the work site.
- Site clean-up and restoration is the responsibility of the Contractor and is subject to final review for approval by the Bureau
- Depending upon the historic level of the space being renovated, Mass Historic must review and approve the proposed construction plans.

## ***10-2 Construction and Renovation of Office Space by BSH***

## **POLICY**

It is the policy of the Bureau of the State House that any request for a construction or renovation project to be performed by the Bureau must be reviewed and approved by the Superintendent or her/his designee through the online Work Order System.

## **PROCEDURE**

The Work Order System (CAMIS) must be used for any modification or renovation, including masonry, locksmith, electrical, carpentry or painting work to be performed by



Bureau trades staff. The only exceptions are for routine building maintenance and emergencies.

Any problems that appear to be the result of abuse by a tenant agency or of vandalism will be reviewed individually to establish responsibility. All such cases shall be reported to the Superintendent and to the Director of Safety / Security. An incident report shall be filed by the appropriate Bureau employee to ensure a clear and accurate account of the situation.

### ***11-1 Community Team Use***

#### **POLICY**

It is the policy of the Bureau of the State House that all work to be performed by the Community Team in the State House shall be scheduled by the State House Director of Operations.

#### **PROCEDURE**

All work to be performed by the Community Team shall be scheduled and prioritized by the State House Director of Operations.

### ***12-1 Signs***

#### **POLICY**

It is the policy of the Bureau of the State House to enhance the appearance of the State House by prohibiting the use of paper directive signs in the State House or on its grounds.

#### **PROCEDURE**

No paper, cardboard, foam core, wooden, etc. event related signs shall be displayed on walls, pillars, floors and or ceilings. All event related signage must be displayed on easels in approved space. Handheld signage must be made of paper materials and cannot be supported on or by sticks and or poles of any sort.

#### **ADA COMPLIANCE**

Bureau provided signs shall conform to ADA requirements. BSH signs not conforming to ADA standards will be replaced as time and materials permit.

### ***13-1 Bureau Conference Rooms***

#### **POLICY**

The Bureau of the State House does not have oversight of any conference rooms in the State House.

### ***14-1 Recycling***



## **POLICY**

It is the policy of the Bureau of the State House to provide means for tenants to recycle. The Bureau encourages all tenant agencies to collect all Recyclable Material for pickup by the recycling contractor. The Bureau of the State House currently runs single stream recycling throughout the entire building and all office spaces. We are expanding our recycling program to include additional materials. In the Sub-basement area adjacent to the US Post office a small recycling area has been created where we will collect lead batteries, printer toner cartridges, and an additional receptacle for plastics and bottles. Please bring your agency's exhausted batteries and printer cartridges down to this recycling center.

## **PROCEDURE**

All agencies are encouraged to recycle office waste using the desk-side receptacles that have been provided by BSH.

### ***15-1 After-Hours Energy Consumption***

## **POLICY**

It is the policy of the Bureau of the State House to provide a comfortable working environment during Regular Working Hours. Due to the high cost of providing utility service during off-hours, the Bureau does not encourage selective after-hours usage.

## **PROCEDURE**

An agency wishing to continue its utility service after established regular working hours or on weekends, must submit its request to the BSH in advance.

## **STATE HOUSE**

The Bureau will be able to provide zone heating for the State House. Heating one area of this building can now be accomplished without heating or cooling the entire building.

### ***16-1 Fire and Emergency Response Plans***

## **POLICY**

It is the policy of the Bureau of the State House to have a detailed Occupant Emergency Plan, which shall include the maintenance of a network of Emergency Team Leaders from every agency and work area. These Emergency Team Leaders are trained tenant agency personnel familiar with the Occupant Emergency Plan. In addition, they appoint agency personnel to various Evacuation Team positions, assist the Bureau with fire safety issues on their floors, advise and direct tenants during fire drills and actual emergencies. Bureau staff shall meet routinely with Emergency Team Leaders.

## **PROCEDURE**

It shall be the responsibility of all Emergency Team Leaders to be familiar with the Occupant Emergency Plan and keep current records of all personnel with disabilities. All tenants of a work area are required to obey the direction of their Emergency Team Leaders during an emergency situation and adhere to the Occupant Emergency Plan. Emergency Team Leaders are responsible for the entire floor, not just the agency/area in which they work. If for any reason an Emergency Team Leader leaves his or her position in state government or transfers to another location, it is the agency's responsibility to inform the Bureau of his or her departure.

### ***17-1 Safety and Security***

## **POLICY**

It is the policy of the Bureau of the State House to provide a safe and secure working environment for employees of the State House.

## **PROCEDURE**

The Bureau works with the following agencies/companies to maintain a secure facility.

- DCR Park Rangers
- State Police
- General Court Officers
- MA State Fire Marshal
- Boston Fire Department
- Life Safety Systems Contractor
- House and Senate Business Reps

The following are not permitted inside the MA State House:

- Dangerous Weapons. Only sworn Federal, State, County and Municipal law enforcement officers duly authorized to carry a weapon may do so while inside the State House.
- Cut fresh Christmas trees, wreaths etc.
- Open flames
- Smoking
- Pets or other animals with the exception of service animals
- Appliances, such as portable heaters The Superintendent, at her/his discretion, may grant a waiver of this section.
- Devices capable of amplifying sound and/or noise makers

### ***17-2 Demonstration and/or Protest Activity in the State House***

## **POLICY**

It is the responsibility of the Department of Conservation and Recreation's Bureau of Ranger Services to effectively balance the rights of the Massachusetts State House to

conduct its business uninterrupted; manage demonstrations and protests which may occasionally impact the Massachusetts State House by being conducted on or near its facilities; and to respect the civil and constitutional rights of all citizens, who are properly permitted, where required, to engage in such lawful activity.

## **PROCEDURE**

Demonstration and/or Protest Activity Guidelines: The following guidelines shall be adhered to at the State House when the State House and/or its patrons become the focus of demonstrations, protests, or other civil disturbances targeting the State House, employees, patrons, etc.

- **Designated Demonstration/Protest Area:** There is no designated area within, or outside of the State House for demonstrators/protesters. Demonstrators and protesters have access to the State House's public areas but may not demonstrate or protest within private office space unless invited to do so by a representative from the office.
- **Amplified Sound:** Unless otherwise permitted by BSH, DCR shall inform all demonstration and protest groups entering the State House that devices capable of amplifying sound and/or noise makers are prohibited within the State House. All devices capable of amplifying sound or noise makers shall be held at the screening checkpoint by DCR until the demonstration/protest group disperses and exits the State House.
- **Signs, Banners, and Protest Materials:** Demonstrators and protesters may carry with them signs, banners, and other demonstration/protest materials. (See Section 12-1 Signs) However, signs, banners, and other materials may not have sticks attached to them or present a threat to the occupants of the State House or be capable of serving as a weapon of opportunity. The Massachusetts State Police and DCR Rangers have sole discretion to disallow any other item that may, in their opinion, present a threat to the safety and security of the State House or its occupants. Items determined to be dangerous by authorized officials will not be permitted into the State House.
- **Defacement of State House Property:** Unless expressly permitted by BSH, demonstrators and protesters may not hang, tape, or otherwise affix signs, banners, or other materials to State House walls, columns, stairs, etc.
- **Ingress and Egress of the State House:** Demonstrators or protestors are prohibited from blocking the ingress or egress of the State House. This applies to all entrance/exit ways, access to stairs, elevators, offices, and public hallways. Access to entrance/exit ways must be kept clear and unobstructed with an access path at least as wide as the doorway itself. This also applies to the entrance ways to all office spaces. A clear and unobstructed path must also be maintained in all public hallways. DCR will ensure that there is a minimum of a 6-foot aisle

maintained in all public hallways that are equal to or greater than 13 feet wide and a 3-foot aisle maintained in all other hallways for life and fire safety purposes.

### ***17-3 Bomb Threats/Scares in the State House***

#### **POLICY**

It is the policy of the Bureau of the State House to follow General Order SOC-02 of the Department of the State Police in the event of a bomb threat or bomb scare. As the State Police are properly trained and best suited to handle such matters, the Superintendent or her/his designee will consult with the State Police Officer in charge during a bomb threat/scare situation.

#### **PROCEDURE**

In the event a tenant agency receives a threatening call, note or letter, the MA State Police should be contacted immediately at 617-727-2917. The State Police will respond immediately and also contact the Superintendent's Office at which point a determination on evacuation will be made. All agency staff are advised to follow the building's Occupant Emergency Plan.

In the event a tenant notices a suspicious package or device, staff is advised to leave the area in question and call the State Police.

In either of these situations, the following safety reminders should be considered:

- Never touch or move any suspicious looking devices.
- Do not turn any electrical devices on or off.
- Always provide the State Police with as much information as possible.
- Do not adjust any appliance controls.
- Follow all instructions from the State Police.

#### **Massachusetts State Police Bomb Threat Data Form State Police –Beacon Hill—617-727-2917**

**Exact wording of the threat:**

#### **Questions to ask:**

1. When is the bomb going to explode?
2. Where is it right now?
3. What does it look like?
4. What kind of bomb is it?

5. What will cause it to explode?
6. Did you place the bomb? If so, why?
7. What is your name?
8. What is your address?

**Callers Voice:** (circle any that apply)

Calm / Nasal / Angry / Stutter / Excited / Lisp / Slow / Rapid / Deep / Soft / Loud /  
Crying / Accent / Ragged / Distinct / Laughter / Normal / Clearing throat / Slurred /  
Disguised / Whispered / Deep breathing / Cracking voice.

**If voice is familiar,** who does it sound like?

**Background Sounds:** (circle any that apply)

Street noise / Voices / Factory machinery / Music / Crockery / Clear / Static / Motor /  
Animal noises / PA system / Local / Sirens / Horns / Phone booth / Long distance /  
House noises / Office machinery / Other:

**Threat Language:** (circle any that apply)

Well-spoken / Incoherent / Foul / Taped / Irrational / Prepared message read.

**Remarks:**

**Received by:**

**Position:**

**Phone:**

**Date:**

**Time:**

## ***18-1 Building Access***

### **POLICY**

It is the policy of the Bureau of the State House that the State House shall be kept open and shall be accessible throughout the established working hours to building tenants and visitors alike.

The Bureau recognizes its obligation to meet the needs of those with disabilities. The Bureau will comply with all state laws requiring handicapped accessibility and has a

goal of complying with all components of the ADA.

## **PROCEDURE**

**STATE HOUSE** - The State House is open to the public, Monday through Friday, from 9 A.M. to 5 P.M and at any time when the legislature is in session. However, the State House will close to visitors immediately upon adjournment. Access is allowed 24 hours per day, seven days per week for authorized employees and elected officials, through the use of electronic key cards, or upon request at the General Hooker Entrance. The DCR Rangers are on duty at the State House at all times. The State Police are available to respond to the State House 24 hours per day, 7 days per week.

### ***18-2 Agency Office Access***

## **POLICY**

It is the policy of the Bureau of the State House to request access to all tenant agencies in case of emergency. If a key is provided, it will be stored in a secure lock box located in Room 5 – DCR Base Office.

## **PROCEDURE**

All Bureau tenant agencies are requested to supply the Bureau with a key for access to their office areas to ensure quick response to fire, leaking water or personal safety of any agency employee.

An agency may request a waiver of this requirement if a good reason can be provided. If a key is not provided to BSH, the agency must provide the name and a 24-hour phone number for a person authorized to provide access to the Bureau at any time in case of an emergency.

The Agency may be required to sign off on any damage necessitated in the event that the Boston Fire Department has to take down a door in order to gain access before agency personnel can provide access.

### ***18-3 Office Lockouts***

## **POLICY**

It is the policy of the Bureau of the State House to accommodate tenants who lock themselves out of their offices.

## **PROCEDURE**

The Bureau will assist a tenant who is locked out of his/her office if the following conditions are met:

- There is staff on duty in the building of the request. The Bureau will not pay staff overtime or request an employee to return to work to unlock an agency door.
- The employee presents an employee photo identification card to the Bureau staff member providing access. The Bureau will not unlock a door, until it is

determined that the person is approved access in that area.

- The employee acknowledges in writing that authorization was given to open the agency's door.

### ***19-1 Photo ID Access Cards***

#### **POLICY**

The Bureau of the State House is responsible for issuing and or providing building access IDs. One card is issued by BSH, to each employee and is not transferable. Photo ID Access Cards are authorized for use only by the employee named and pictured on the card. Photo ID Access Cards are not issued to temporary employees, interns, vendors, or contractors except under circumstances where it is deemed necessary by the Superintendent or Director of Security. Contractor ID badges are issued to approved contractors, vendors, and delivery personnel on a daily basis in return for driver's license or other official photo ID. Photo ID Access Cards remain the property of the Bureau and must be surrendered when an employee terminates his/her employment with the Commonwealth.

### ***20-1 Security Checkpoints***

#### **POLICY**

It is the policy of the Bureau of the State House to provide a safe and secure working environment for employees within Bureau facilities, through the prohibition of carriage of weapons or other dangerous items inside the Massachusetts State House to screen those entering the facilities to prevent the unauthorized conveyance of dangerous weapons into the facilities.

#### **PROCEDURE**

The Bureau's Director of Safety / Security works with the following agencies/companies to maintain a secure facility:

- Department of Conservation and Recreation Park Rangers
- Massachusetts State Police
- Executive Office of Public Safety
- State Fire Marshal
- Boston Fire Department
- Fire Detection and Alarm Contractor
- Division of Employment and Training
- Department of Mental Health
- The Legislature's Joint Committee on Rules

The following are not permitted inside the State House by anyone other than sworn police officers of the Commonwealth of Massachusetts or federal law enforcement officers:

- Firearms of any kind
- Explosive devices of any kind
- BB or pellet guns
- Knives with blades greater than 3" long
- Mace, pepper spray or other chemical agents
- Stun guns or other device for directing an electrical charge at persons
- Other dangerous items, as determined by security officials or facility staff.

All visitors, (e.g. anyone who is not a state employee or is not in possession of a DCAMM provided State Employee Identification Card) must submit to screening at a security checkpoint before entering the State House. Any visitor refusing to submit to screening will not be allowed entrance to the facility. Visitors are strictly prohibited from carrying any weapon (as listed above) while present in State House.

#### **FIREARMS:**

**Only sworn law enforcement** personnel from federal, state, county or municipal agencies are authorized to carry a firearm or other weapon while present in the State House. Those authorized officers must present valid agency identification to the Park Ranger assigned to the building entrance. Following an inspection of proper credentials, the officer will be allowed to by-pass the screening equipment to enter the facility. Once permitted to enter the facility, the officer must ensure that the weapon remains on his/her person during their entire presence within the facility.

**Visitors are not permitted** in the State House with firearms.

#### **OTHER WEAPONS:**

Visitors in possession of a weapon must declare the weapon to the DCR Ranger, on duty at the entry point of the State House prior to entering. **Visitors are not permitted** in the State House with weapons (as defined in section 10(b) of Chapter 269 of the Massachusetts General Laws). Visitors will not be provided with secure storage areas for weapons. Visitors attempting to enter the State House with weapons will be denied entry and advised to secure those weapons elsewhere and return unarmed.

#### **OTHER DANGEROUS ITEMS:**

The Massachusetts State Police, DCR Rangers have sole discretion to disallow any other item that may, in their opinion, present a threat to the safety and security of the building or its occupants.

Items determined to be dangerous by authorized officials, as noted above, will not be permitted into the State House. At the discretion of the screening personnel on duty such items may, at the exclusive risk of the item's owner, be put aside at a nearby location and reclaimed by the owner after exiting the facility. Neither BSH, nor any of the agencies noted above, assume any responsibility for items left pursuant to this policy. The Massachusetts State Police will respond to all incidents where a concealed weapon is not declared yet disclosed during a security inspection. The Massachusetts State Police reserve the right to ask for and view the owner's permit to carry said weapon.



Individuals in possession of firearms who are unable to produce a valid permit for that weapon are subject to arrest and confiscation of the weapon in accordance with Massachusetts' law.

All inappropriate comments compromising the safety and security of the MA State House and/or personnel will be taken seriously and referred to the MA State Police for action.

Only state employees carrying a valid state employee identification card may be allowed to bypass a security checkpoint.

## ***21-1 Bureau Production of Keys***

### **POLICY**

It is the policy of the Bureau of the State House to limit the number of office keys in circulation to enhance security.

### **PROCEDURE**

It is the responsibility of the Bureau to provide locks and keys for all agency access doors. It shall be the Bureau's procedure to limit the number of keys to each agency to three. In cases where an office space is shared by multiple Agency Heads, Senators or Representatives, the Bureau will produce one key for each. The liaison may order keys directly from the Bureau's Director of Operations via the "work order" system.

## ***22-1 Flag Policy for Bureau Buildings***

### **POLICY**

It is the policy of the Bureau of the State House to comply with the provisions of the Flag Code and of M.G.L. Chapter 2, sections 5, 6, and 6A and M.G.L. Chapter 264, sections 5 through 8 when flying flags on/at Bureau facilities.

### **PROCEDURE**

- Flags should be raised briskly and lowered ceremoniously.
- While it is the universal custom to display flags only from sunrise to sunset, the flags may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.
- Flags should not be displayed on days when the weather is inclement, except if an all-weather flag is utilized.

Particular Days of Display:

- New Year's Day (January 1)
- Inauguration Day (January 20)
- Lincoln's Birthday (February 12)
- Washington's Birthday (Third Monday in February)
- Easter Sunday (Variable)

- Mother's Day (Second Sunday in May)
- Armed Forces Day (Third Saturday in May)
- Memorial Day [Half-staff until Noon] (Last Monday in May)
- Flag Day (June 14)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Constitution Day (September 17)
- Columbus Day (Second Monday in October)
- Navy Day (October 27)
- Veterans Day (November 11)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)
- Such other days as may be proclaimed by the President of the United States
- Such other days as may be proclaimed by the Governor
- The birthdays of States (dates of admission)
- State holidays

## ***22-2 Flying of Flags at Half-Staff***

### **POLICY**

It is the policy of the Bureau of the State House, as representing the Governor of the Commonwealth, and the official policies, opinions, and sympathies of the government of the Commonwealth, to adhere to both the Flag Code and the Massachusetts General Laws (Chapter 2, section 6A) with respect to flying flags at Half-staff at buildings under its jurisdiction. This is not to say that individuals or causes not specifically cited in either the Flag Code or the M.G.L. cannot be honored by the lowering of the flags at state buildings, but only that such lowering should not exceed the ordinary periods prescribed by law and custom for individuals or causes of comparable rank.

It is the policy of the Bureau of the State House to fly flags at Half-staff in recognition or in sympathy for individuals or causes that affect the whole of the Commonwealth. The recognition or sympathies of counties, cities, towns, schools, universities, or any other public or corporate entity can be signified by the chief executive officers of those entities by lowering the flags on any building or properties under their jurisdiction.

In determining whether the flags should be lowered in individual cases, apart from those federal and state officers listed in the Flag Code and the M.G.L., service is given more weight than sympathy. Death in the line of duty is given more weight than death of an elected official or public employee through circumstances unrelated to their official position or duties. In all cases deemed appropriate to fly the flags at Half-staff, no distinction shall be made between the flags of the United States and that of the Commonwealth. They will be treated in the same manner.

### **PROCEDURE**

The decision to fly flags at Half-staff falls to the chief executive officer of any jurisdiction,

public or private. Most situations are governed by the Flag Code or Massachusetts law and only require implementation, which is the responsibility of the Superintendent. In situations not covered by the Flag Code or Massachusetts law, the decision ultimately rests with the Governor, but is normally made and carried out by the Superintendent. No distinction is made between lowering of the United States Flag and the Massachusetts State Flag. The following list, compiled from the Flag Code and M.G.L Chapter 2, section 6A, sets forth the duration flags should remain at Half-staff, for specific individuals, at all (except as specified) Massachusetts state-owned or state-controlled buildings:

30 days from day of death (return to Full-Staff the morning of the 31st day)

- President of the United States
- Former President of the United States
- Governor of the Commonwealth
- Former Governor of the Commonwealth

10 days from day of death (return to Full-Staff the morning of the 11th day)

- Vice President of the United States
- Chief Justice of the United States
- Retired Chief Justice of the United States
- Speaker of the United States House of Representatives

Day of death until sunset on the day of interment

- Associate Justice of the Supreme Court
- Member of the Cabinet
- Former Vice President of the United States
- Secretary of the Army, Navy, or Air Force
- Lieutenant Governor of the Commonwealth
- Secretary of the Commonwealth
- Treasurer and Receiver-General of the Commonwealth
- Attorney General of the Commonwealth
- Auditor of the Commonwealth
- United States Senator from the Commonwealth
- Representative in Congress from the Commonwealth (All Bureau buildings and state buildings in the district)
- State Senator or Representative (The State House and all state buildings in the district) Other elected officials, former elected officials, or other persons as designated by the Governor

The Governor may elect to fly flags at Half-staff as a sign of respect or sympathy for persons or causes other than those listed in the Flag Code or the M.G.L., so long as the period of lowering is consistent with the intent of the Code and Laws.

In the event that more than one death or other cause occur at the same time, the period of the flags being lowered will not exceed the normal endpoint of the longest of the

overlapping periods. The periods are not added together. In the event that the flag of a foreign nation or any other state or organization is requested to be flown during a period when the United States and Massachusetts flags are at Half-staff, those flags must also be flown at Half-staff.

### ***22-3 Flying of Foreign Flags at State House***

#### **POLICY**

It is the policy of the Bureau of the State House that foreign flags shall not be flown over the State House, with the following exceptions:

- When a foreign dignitary visits the Governor, and the Governor orders the flag of the guest's country to be displayed.
- When an international event recognizing several foreign countries (such as World Cup Soccer) is held in the Commonwealth – and the Governor issues a proclamation authorizing the display of the flag of the country of which such guest is a citizen.
- When a citizen of a foreign country is the guest of the United States Government or the government of the Commonwealth and the Governor issues a proclamation authorizing the display of the flag of the country of which such guest is a citizen.
- Flags of foreign nations may be displayed inside the State House with the approval of the Superintendent (with consultation and agreement of the Joint Committee on Rules and the Executive Office). Flags of other states, commonwealths or municipalities shall not be flown outside the State House but may be displayed indoors with approval of the Superintendent.

If a foreign flag is flown at the State House, it shall be flown in accordance with the United States Flag Code and approved by the Governor of the Commonwealth and the Legislature's Joint Committee on Rules.

#### **PROCEDURE**

Any person wishing to have a Foreign Flag displayed at or in State House must make a request in writing to the Superintendent 30 days prior to the event to allow adequate time to seek approval from the Joint Committee on Rules and the Executive Office.

### ***22-4 Flying of POW/MIA Flags***

#### **POLICY**

It is the policy of the Bureau of the State House that the POW/MIA Flag will be displayed on the same halyard as the United States Flag in a position below it.

#### **PROCEDURE**

The flag of the United States shall be flown at the peak of its halyard with the POW/MIA Flag flown beneath it.

## ***23-1 Lost and Found Center***

### **POLICY**

It is the policy of the Bureau of the State House to work w/ DCR to identify the owners of lost items that have been turned in to the Lost and Found office (Room 5 – Sub-basement). DCR maintains the log and inventory of lost items. See <https://www.mass.gov/dcr> for policies relative to DCR.

### **PROCEDURE**

To report or turn in lost property, call DCR at 617-722-1188. Any item reported as lost will be logged into the “lost/found log” located in Room 5 of the State House.

## ***24-1 Wheelchair Availability in the State House***

### **POLICY**

It is the policy of the Bureau of the State House to make the State House accessible to customers with disabilities by providing wheelchairs.

### **PROCEDURE**

The Bureau has four wheelchairs available in the State House for use by visitors and or tenants. A visitor who wishes to borrow a wheelchair may make such a request in person to the State House ADA Coordinator in Room 1, the Director of State House Operations or may telephone ahead of time to reserve the wheelchair. For use in the State House, the phone number is (617) 727-1100.

A license or other form of picture identification will be held by the DCR Park Rangers at the Ashburton Park Entrance during the time the wheelchair is in the visitor’s possession. The visitor may not remove the wheelchair from the premises. The visitor’s identification may be collected at the time the wheelchair is returned.

This service is provided for the convenience of customers and is not required under the ADA. Wheelchairs will be distributed on a first-come/ first-served basis and are not guaranteed to be available to any customer without prior reservations.

## ***25-1 Pest Control***

### **POLICY**

It is the policy of the Bureau to ensure that all Office Spaces and Common Spaces are free of pests. This is accomplished by educating its contractors and customers, following IPM procedures in accordance with Executive Order 403, and successfully managing its pest control contract; and to adopt and implement Executive Order No. 403, entitled INTEGRATED PEST MANAGEMENT FOR MASSACHUSETTS STATE AGENCIES.

## PROCEDURE

Success in managing pests depends upon a collaborative effort of Bureau management, building staff, contractors, food service personnel, the pest control contractor, and individuals working in various agencies. Recognizing that Integrated Pest Management is the basis for pest control, Bureau procedures include education; minimizing sources of food, water, and access; and requiring a prompt pro-active response to complaints by Bureau staff and the Pest Control Contractor.

Bureau management responsibilities to make customers more aware include:

- Educating agencies and employees of their responsibility to eliminate food sources that attract and sustain insects and rodents in the workplace;
- Educating cleaning personnel of their responsibility to eliminate food residues and to use thorough housekeeping practices in the workplace
- Educating building tenants of their responsibilities to:
  - Provide organizational sanitation by eliminating excess paper
  - Recycle paper and boxes for prompt removal
  - Store materials off of the floor and away from walls
  - Maintain closets and files with minimal clutter.

Customer responsibilities include the following preventive measures:

- Ensuring that food is not left in desks or on desktops or other areas accessible to pests, along with keeping individual workstations clean
- Rinsing all soda cans and bottles and storing them in appropriate containers for recycling. Removing recycled cans and bottles from offices daily
- Reporting any pest problems or conditions related to pest problems to the Director of Operations 617-727-1100 ext. 35522

Preventive measures by Bureau staff include:

- Ensuring that all openings in walls and floors are covered
- Requiring that garage doors in the State House loading dock be closed after hours and as much as possible during working hours
- Ensuring that the cleaning contractors steam wash loading dock compactors twice per month and wash and disinfect the areas around these areas twice per month or more frequently.
- Ensuring that the Bureau's mechanical contractor promptly repairs all leaks in restroom plumbing, internal drains, or induction units that can sustain existence for insects and pests
- Contracting with pest control experts who work in areas designated by the Bureau and visit the State House three times per week
- Maintaining written records to track problems and prevent recurrences
- Evaluating the results of all pest management actions
- Customer Follow-up

## ***26-1 Nursing Mother's Room***

## **POLICY**

It is the policy of the Bureau of the State House to help nursing working mothers easily and conveniently make the transition back to work.

## **PROCEDURES**

To ensure that state employees are a priority and have access to the room, all users will be required to schedule use of the room with the State House ADA Coordinator. The Mother's Room is located on the 5<sup>th</sup> floor of the State House. The room offers a pleasant, carpeted sitting area, sink, refrigerator, anti-bacterial soap, paper towels and a bulletin board for information sharing and can be locked from the inside to ensure privacy.

To schedule the mother's room at the State House, please send an email to [sh.nursingroom@mass.gov](mailto:sh.nursingroom@mass.gov). This email address can also be used for any other issues such as cleaning and maintenance requests for the mother's room.

## ***27-1 Service Animal Policy***

## **OBJECTIVES**

It is the policy of the Bureau of the State House to comply with the requirements of the Americans with Disabilities Act, as amended, and Department of Justice's regulation Section 504 of the Rehabilitation Act of 1973, as amended, that broadest access be provided to service animals and that persons using service animals be afforded independent access to the State House.

## **POLICY**

A service animal shall be permitted in any area of the State House that is unrestricted to the general public, occupants, or visitors provided that the service animal does not pose a direct threat and that the presence of the service animal would not require a fundamental alteration in the State House's policies, practices or procedures. Emotional support, therapy, comfort, or companion animals are not considered service animals and will not be allowed into the State House.

## ***Appendix A***

Massachusetts General Laws, Chapter 8 State Superintendent of Buildings, And State House

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter8>

Massachusetts General Laws, Chapter 270, Sec. 22 Smoking In Public Places

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter270/Section22>



# ***Executive Order No. 403: Integrated pest management for Massachusetts state agencies***

Date: 04/22/1998

Issuer : Acting Governor Argeo Paul Cellucci

Mass Register: No. 842

## **Executive Order No. 403**

WHEREAS, the Commonwealth is committed to leadership in advancing practices that protect public health and environmental quality; and

WHEREAS, Executive Order No. 350 directs all state agencies to take measures to prevent pollution and conserve natural resources; and

WHEREAS, chemical pesticides may pose a threat to public health and the environment; and

WHEREAS, Integrated Pest Management is an ecologically based approach to pest management, which minimizes reliance on chemical pesticides and prevents pest problems in the most environmentally protective manner;

NOW, THEREFORE, I, Argeo Paul Cellucci, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

### **Section 1.**

All state agencies shall adopt and implement Integrated Pest Management (IPM) programs in all facilities owned or managed by the Commonwealth.

### **Section 2.**

By June 30, 1998, the Division of Operational Services, the Executive Office of Environmental Affairs, and the Department of Food and Agriculture shall jointly develop a Master Service Agreement (MSA) establishing (i) a list of qualified vendors to service facilities within the context of an IPM program, and (ii) mandatory procedures and policies consistent with an IPM program.

### **Section 3.**

Immediately upon the expiration of any previously existing pest management contracts, and in any event not later than June 30, 2001, agencies shall initiate IPM programs consistent with the policies and procedures established in the MSA in all facilities under their jurisdiction.

### **Section 4.**

By April 30, 1998, the Secretary of Environmental Affairs shall appoint an advisory committee to review the progress of the Commonwealth's IPM program. The committee shall include one industry representative knowledgeable in the field of IPM, one representative from the environmental community, and one state agency or facility manager.

Given at the Executive Chamber in Boston this 22nd day of April in the year one thousand nine hundred and ninety-eight.

Argeo Paul Cellucci  
Acting Governor

William Francis Galvin  
Secretary of the Commonwealth

# ***Executive Order No. 511: Establishing the Massachusetts Employee Safety and Health Advisory Committee***

Date: 04/27/2009

Issuer: Deval L. Patrick

Mass Register: No. 1130

## **Executive Order No. 511**

WHEREAS, it is the policy of the Executive Branch of the Commonwealth of Massachusetts to provide a healthy and safe working environment for all of the Commonwealth's employees;

WHEREAS, workplace injuries can have devastating effects on injured workers and their families, both personally and financially;

WHEREAS, workplace injuries can impede the ability of a state agency or department to deliver services;

WHEREAS, it is the Commonwealth's policy to lead by example in protecting employees in the workplace;

WHEREAS, the Commonwealth's Division of Occupational Safety and Human Resources Division have taken steps to protect the safety and health of the Commonwealth's employees through an Alliance with the Federal Occupational Safety and Health Administration and an education and training program focused on safety and health issues;

WHEREAS, the initiatives that have been undertaken by the Division of Occupational Safety and the Human Resources Division are important steps toward enhancing the occupational safety and health of the Commonwealth's employees; and

WHEREAS, further information is needed to determine what additional measures are warranted to protect the safety and health of the Commonwealth's employees.

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § I, Art. I, do hereby order as follows:

### **Section 1.**

This Executive Order shall apply to all state agencies in the Executive Branch. As used in this Order, "state agencies" shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing and hereafter established.

### **Section 2.**

Each secretariat shall forward to the Commissioner of the Division of Occupational Safety and to the Chief Human Resources Officer, on or before August 1, 2009, the name and contact information of a qualified person who shall serve as the secretariat's Safety and Health Coordinator. The Safety and Health Coordinator will be responsible for ensuring the implementation of this Executive Order within the secretariat and shall serve as the secretariat's point of contact for training and other safety and health activities conducted by the Human Resources Division and/or the Division of Occupational Safety. The Division of Occupational Safety will conduct training for and work with the Coordinators to assist them in carry out their responsibilities.

### **Section 3.**

All state agencies shall keep records concerning occupational injuries, illnesses, and deaths in compliance with regulations promulgated under the Occupational Safety and Health Act, as set forth in 29 CFR Part 1904, titled Recording and Reporting Occupational Injuries and Illnesses.

#### Section 4.

By August 1, 2009, the Human Resources Division, in conjunction with the Division of Occupational Safety and the Massachusetts Department of Public Health Occupational Health Surveillance Program, shall establish a process for collecting data recorded by state agencies pursuant to this Executive Order. The Division of Occupational Safety shall provide training to state agencies to facilitate their record-keeping and reporting under 29 CFR Part 1904. The Human Resources Division shall, to the extent permitted by law, make data reported under this system available to the Division of Occupational Safety and the Occupational Health Surveillance Program, and to the Massachusetts Employee Safety and Health Advisory Committee established under this Executive Order.

#### Section 5.

All agencies that have workplaces selected by the Bureau of Labor Statistics as sample units for participation in the annual Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses shall comply with the survey's reporting requirements relating to injury and illness data.

#### Section 6.

The Massachusetts Employee Safety and Health Advisory Committee is hereby established, and shall be appointed by the Governor, to evaluate injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs, and determine where additional resources are needed to protect the safety and health of the Commonwealth's employees. The advisory committee shall have 13 members, comprised as follows:

1. the Director of Labor, or his or her designee, who shall serve as the Co-Chairperson,
2. the Chief Human Resources Officer, or his or her designee, who shall serve as Co-Chairperson,
3. the Commissioner of the Division of Occupational Safety,
4. the Secretary of Administration and Finance, or his or her designee,
5. the Director of the Office of Employee Relations, or his or her designee,
6. the Commissioner of the Department of Public Health, or his or her designee,
7. the Commissioner of the Department of Industrial Accidents, or his or her designee,
8. Four representatives from labor unions representing the employees of the Commonwealth,
9. One representative from a community-based health and safety advocacy organization, and
10. One member of the faculty of the Department of Work Environment at the University of Massachusetts, Lowell.

#### Section 7.

By November 1, 2009, each secretariat and, where appropriate, each department, agency, and/or division, in conjunction with the applicable collective bargaining representatives, shall establish joint labor-management health and safety committees. Such committees shall, in conjunction with the safety and health coordinators established pursuant to this Order, survey safety and health hazards and existing safety and health measures within the secretariat, department, agency or division, evaluate the effectiveness of those measures and make recommendations to the Secretary on ways to improve employees' safety and health. Each secretariat shall forward committee survey results and recommendations to the Massachusetts Employees Safety and Health Advisory Committee established by this Order on or before October 1, 2010, and thereafter shall report annually to the Advisory Committee on its progress toward enhancing the safety and health of its employees .

#### Section 8.

To the extent permitted by law, state agencies shall make all reasonable efforts to furnish such information and assistance as the Massachusetts Employee Safety and Health Advisory Committee reasonably deems necessary to accomplish its purposes.

#### Section 9.

Nothing in this Executive Order shall be construed to require action inconsistent with any applicable state or federal law.

#### Section 10.

This Executive Order shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.

Given at the Executive Chamber in Boston this 27th day of April in the year of our Lord two thousand and nine, and of the Independence of the United States of America two hundred and thirty-three.

Deval L. Patrick  
Governor  
Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth

# ***Executive Order No. 504: Order regarding the security and confidentiality of personal information***

Date: 09/19/2008

Issuer: Deval L. Patrick

Mass Register: No. 1114

Revoking: Executive Order No. 412

Rescinded by: Executive Order No. 588

## **Executive Order No. 504**

WHEREAS, identity theft is a serious crime that, according to current Federal Trade Commission statistics, affects as many as 9 million Americans each year and costs consumers and businesses approximately \$52 billion annually;

WHEREAS, the Commonwealth of Massachusetts has recognized the growing threat of identity theft and taken steps to safeguard the personal information of its residents by, among other things, enacting Massachusetts General Laws Chapter 93H ("Chapter 93H");

WHEREAS, pursuant to Chapter 93H, the Massachusetts Office of Consumer Affairs and Business Regulation has promulgated regulations, effective January 1, 2009, defining security standards that must be met by persons, other than state entities, who own, license, store or maintain personal information about residents of the Commonwealth;

WHEREAS, also pursuant to Chapter 93H, the Secretary of the Commonwealth, through his Supervisor of Public Records, is charged with establishing rules or regulations designed to safeguard personal information that is owned or licensed by state executive offices and authorities;

WHEREAS, the Executive Department recognizes the importance of developing and implementing uniform policies and standards across state government to safeguard the security, confidentiality and integrity of personal information maintained by state agencies; and

WHEREAS, the implementation of such policies and standards will further the objectives of Chapter 93H and will demonstrate the Commonwealth's commitment to adhere to standards equal to or higher than those that govern the private sector.

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § I, Art. I, do hereby revoke Executive Order 412 and order as follows:

### **Section 1.**

This Executive Order shall apply to all state agencies in the Executive Department. As used in this Order, "state agencies" (or "agencies") shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing and hereafter established.

## Section 2.

It shall be the policy of the Executive Department of the Commonwealth of Massachusetts to adopt and implement the maximum feasible measures reasonably needed to ensure the security, confidentiality and integrity of personal information, as defined in Chapter 93H, and personal data, as defined in Massachusetts General Laws Chapter 66A, maintained by state agencies (hereafter, collectively, "personal information"). Each executive officer and agency head serving under the Governor, and all state employees, shall take immediate, affirmative steps to ensure compliance with this policy and with applicable federal and state privacy and information security laws and regulations.

## Section 3.

All state agencies shall develop, implement and maintain written information security programs governing their collection, use, dissemination, storage, retention and destruction of personal information. The programs shall ensure that agencies collect the minimum quantity of personal information reasonably needed to accomplish the legitimate purpose for which the information is collected; securely store and protect the information against unauthorized access, destruction, use, modification, disclosure or loss; provide access to and disseminate the information only to those persons and entities who reasonably require the information to perform their duties; and destroy the information as soon as it is no longer needed or required to be maintained by state or federal record retention requirements. The security programs shall address, without limitation, administrative, technical and physical safeguards, and shall comply with all federal and state privacy and information security laws and regulations, including but not limited to all applicable rules and regulations issued by the Secretary of State's Supervisor of Public Records under Chapter 93H.

## Section 4.

Each agency's written information security program shall include provisions that relate to the protection of information stored or maintained in electronic form (hereafter, "electronic security plans").

The Commonwealth's Chief Information Officer ("CIO") shall have the authority to:

Issue detailed guidelines, standards, and policies governing agencies' development, implementation and maintenance of electronic security plans;

Require that agencies submit their electronic security plans to ITD-for review, following which ITD shall either approve the plans, return them for amendment, or reject them and mandate the preparation of a new plan;

Issue guidelines specifying when agencies will be required to prepare and submit supplemental or updated electronic security plans to ITD for approval;

Establish periodic reporting requirements pursuant to which all agencies shall conduct and submit self-audits to ITD no less than annually, assessing the state of their implementation and compliance with their electronic security plans, with all guidelines, standards, and policies issued by ITD, and with all applicable federal and state privacy and information security laws and regulations;

Conduct reviews to assess agency compliance with the governing plans, guidelines, standards, policies, laws and regulations. At the discretion of ITD, reviews may be conducted on site or electronically, and may be announced or unannounced;

Issue policies requiring that incidents involving a breach of security or unauthorized acquisition or use of personal information be immediately reported to ITD and to such other entities as required by the notice provisions of Chapter 93H; and

Where necessary and appropriate, and with the approval of the Secretary for Administration and Finance, determine and implement remedial courses of action to assist non-compliant agencies in achieving compliance with the governing plans, guidelines, standards, policies, laws and regulations. Such actions may include, without limitation, the imposition of terms and conditions relating to an agency's information technology ("IT")-related expenditures and use of IT capital funding.

#### Section 5

Each agency shall appoint an Information Security Officer ("ISO"), who may also hold another position within the agency. ISOs shall report directly to their respective Agency heads and shall coordinate their agency's compliance with the requirements of this Order, applicable federal and state laws and regulations, and ITD security standards and policies. All agency security programs, plans, self-audits, and reports required by this Order shall contain certifications signed by the responsible ISO and the responsible agency head attesting to the accuracy and completeness of the submissions.

#### Section 6

All agency heads, managers, supervisors, and employees (including contract employees) shall attend mandatory information security training within one year of the effective date of this Order. For future employees, such training shall be part of the standardized orientation provided at the time they commence work. Such training shall include, without limitation, guidance to employees regarding how to identify, maintain and safeguard records and data that contain personal information.

#### Section 7

The Enterprise Security Board ("ESB"), as presently established, shall advise the CIO in developing the guidelines, standards, and policies required by Section 4 of this Order. Consistent with the ESB's current framework, the precise members and make-up of the ESB shall be determined by the CIO, but its membership shall be drawn from state employees across the Executive Department with knowledge and experience in the fields of information technology, privacy and security, together with such additional representatives from the Judicial and Legislative Branches, other constitutional offices, and quasi-public authorities who accept an invitation from the CIO to participate. The ESB shall function as a consultative body to advise the CIO in developing and promulgating guidelines, standards, and policies that reflect best practices to ensure the security, confidentiality and integrity of the electronic personal information collected, stored, used, and disseminated by the Commonwealth's IT resources.

#### Section 8

The CIO shall develop mandatory standards and procedures for agencies to follow before entering into contracts that will provide third parties with access to electronic personal information or information technology systems containing such information. Such standards must require that appropriate measures be taken to verify the competency and integrity of contractors and subcontractors, minimize the data and systems to which they will be given access, and ensure the security, confidentiality and integrity of such data and systems.

#### Section 9



All contracts entered into by state agencies after January 1, 2009 shall contain provisions requiring contractors to certify that they have read this Executive Order, that they have reviewed and will comply with all information security programs, plans, guidelines, standards and policies that apply to the work they will be performing for their contracting agency, that they will communicate these provisions to and enforce them against their subcontractors, and that they will implement and maintain any other reasonable and appropriate security procedures and practices necessary to protect personal information to which they are given access as part of the contract from unauthorized access, destruction, use, modification, disclosure or loss. The foregoing contractual provisions shall be drafted by ITD, the Office of the Comptroller, and the Operational Services Division, which shall develop and implement uniform language to be incorporated into all contracts that are executed by state agencies. The provisions shall be enforced through the contracting agency and the Operational Services Division. Any breach shall be regarded as a material breach of the contract that may subject the contractor to appropriate sanctions.

#### Section 10

In performing their responsibilities under this Order, ITD, the CIO and the Operational Services Division shall have the full cooperation of all state agencies, including compliance with all requests for information.

#### Section 11

This Executive Order shall take effect immediately and shall continue in effect until amended, superseded or revoked by subsequent Executive Order.

Given at the Executive Chamber in Boston this 19th day of September in the year of our Lord two thousand and eight, and of the Independence of the United States of America two hundred and thirty-two.

Deval L. Patrick  
Governor  
Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth