

ASA Issue Alert

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ASA Issue Alert: Testify Against Massachusetts Antistaffing Bill

Committee Hearing Continues Thursday, June 30

On Thursday, June 9, proponents of a Massachusetts antistaffing bill (HB 1393) including union representatives, temporary employees, attorneys, a physician, and even a priest testified before the state legislature's Joint Committee on Labor and Work Force Development and called on the legislature to regulate the state's staffing industry.

More than 100 staffing industry representatives planned to testify against HB 1393, but only some were able to do so before the committee hearing adjourned. **The hearing will resume Thursday, June 30, at 10:30 a.m.**

The bill's proponents told horror stories of alleged exploitation of low-wage temporary employees who suffered unsafe working conditions and underpayment of wages. Following the hearing, a union-backed group, the Labor Relations and Research Center at the University of Massachusetts Amherst, published a paper chronicling similar alleged abuses and calling upon the legislature to enact HB 1393.

Among other things, HB 1393 would prohibit staffing firms from charging permanent placement and conversion fees with respect to certain employees, potentially require in-state offices, and potentially prohibit staffing firms from sending candidate résumés to clients for purposes of generating client interest and job orders.

The bill also includes temporary employee "right to know" provisions that would require staffing firms to provide certain temporary employees with written notice of, among other things, job descriptions, the name and address of client work sites to which the temporary employees are assigned, wage rates, the expected duration of the assignment, and transportation costs. The bill would impose potential rate caps, meal and lodging requirements for certain out-of-state employees, and other onerous requirements, as well as severe penalties for violations.

The bill's proponents are pulling out all the stops to get the bill enacted. The staffing industry needs to do the same to correct the record and defeat this bill.

Donoghue, Barrett & Singal, the lobbying firm of ASA and the Massachusetts Staffing Association, an ASA-affiliated chapter, advises that it is critical for the staffing industry to speak with one voice and show legislators how harmful this bill would be, if enacted. Staffing firms can do that by packing the hearing room and sending **hundreds** of staffing firm representatives to testify against the bill in its entirety.

The American Staffing Association calls upon every firm with offices in Massachusetts to:

- **Send as many representatives as possible to testify.**

- **Call members of the committee, if your business is located in committee members' districts, and urge them to attend the hearing this is especially important because some members might be planning to leave town early for the Fourth of July weekend.**
- **Have your firm's representatives visit the offices of their legislators June 30, either before or after testifying and regardless of whether the legislators sit on the committee, to explain why lawmakers should oppose HB 1393.**

Members of the Joint Committee on Labor and Work Force Development and their respective districts:

Chairman Sen. Daniel A. Wolf; Harwich
 Chairman Rep. Cheryl A. Coakley-Rivera; Springfield
 Vice Chairman Sen. Michael J. Rodrigues; Westport
 Vice Chairman Rep. Lori A. Ehrlich (co-sponsor); Marblehead
 Sen. Sal DiDomenico; Everett
 Sen. Barry Finegold; Andover
 Sen. Robert Hedlund; Weymouth
 Sen. Michael Rush; West Roxbury
 Rep. Denise Andrews; Orange
 Rep. James Arciero; Westford
 Rep. Demetrius J. Atsalis; Barnstable
 Rep. Linda Dean Campbell; Methuen
 Rep. Ryan C. Fattman; Sutton
 Rep. John P. Fresolo; Worcester
 Rep. Shelia C. Harrington; Groton
 Rep. John H. Rogers; Norwood
 Rep. David M. Torrisi; North Andover

To find your legislators or contact information for members of the committee, visit malegislature.gov.

Staffing firm representatives who can testify at the hearing should contact Annie Duffy, ASA assistant counsel, at 703-253-2038 or aduffy@americanstaffing.net. Staffing firms with clients willing to testify also should contact ASA. **There will be a prehearing meeting, for staffing firm representatives who testify, at the offices of Donoghue Barrett, One Beacon Street in Boston, at 9 a.m. Thursday, June 30.** All those who testify should plan to attend.

[Testimony](#) setting forth the harm this bill would cause is available at americanstaffing.net (PDF 33 KB). A leave-behind document for legislators, dispelling some of the myths about the bill espoused by the bill's supporters, also is available at americanstaffing.net (PDF 29 KB). You can read HB 1393 at americanstaffing.net (PDF 49 KB).

Thank you for your involvement and critical support of the staffing industry in Massachusetts.

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