



Construction Industries  
of Massachusetts, Inc.



June 20, 2017

The Honorable Paul Brodeur, House Chair  
Joint Committee on Labor and Workforce Development  
State House, Room 356  
Boston, MA 02133

The Honorable Jason Lewis, Senate Chair  
Joint Committee on Labor and Workforce Development  
State House, Room 511-B  
Boston, MA 02133

**Re: Testimony regarding S.999, An Act to Prevent Wage Theft and Promote Employer Accountability and H.1033, An Act to Prevent Wage Theft and Promote Employer Accountability**

Dear Chairman Brodeur, Chairman Lewis and members of the Committee,

On behalf of a broad, multi-industry coalition of employer associations and their 15,000 members, we thank you for the opportunity to express our thoughts regarding identical bills **S.999 and H.1033 An Act to Prevent Wage Theft and Promote Employer Accountability**.

We agree that wage theft has absolutely no place in any business in Massachusetts. The members of our organizations take this issue very seriously. In today's challenging business climate, relationships and partnerships are critical to success. Profit margins continue to become slimmer and slimmer, as the cost of doing business continues to grow. In any sector, successful business relationships and partnerships feed profits and accountability. There are tremendous benefits, both monetarily and operationally, to working with the best companies possible. Therefore, it is in our members' best interest to contract with legitimate, law abiding businesses. Our industries believe the solution to wage theft violations is not in adopting additional laws, but rather in enhanced enforcement efforts and additional funding for the Attorney General's office to enable her staff to use the tools currently in place. These tools have proven effective, as the Attorney General's office has cited more than \$6 million in wage theft violations since last summer.

Massachusetts presently has the most comprehensive wage laws and enforcement scheme in the nation. The vast majority of Massachusetts employers comply with these laws. This bill, in its current form, will unfairly punish legitimate and law-abiding companies in all industries across Massachusetts who contract with other businesses for services, but have no control over the operations of those independent businesses. If a company violates the current laws, the company in violation should be penalized through existing statutes and regulations which ensure fair and

timely payment of wages. We strongly encourage the state to publicize information about businesses that misclassify workers and violate wage laws. It is essential that companies know who the bad actors are. In addition, we recommend increasing inter-agency co-operation and providing new or increased funding to the Council on the Underground Economy and to individual agencies to pursue and punish violators. We also suggest increasing workplace monitoring and the frequency of direct enforcement actions.

In short, stronger enforcement against those who directly violate the laws should be the first course of action. We also commend the Attorney General for launching a strong public education campaign to advise workers of their rights, as this also bolsters enforcement efforts and assures those who violate the law are caught and punished.

These are the steps we believe will most effectively tackle wage theft issues across the Commonwealth. S.999 and H.1033, in their current format, present many unintended consequences by targeting legitimate and law-abiding businesses who operate in full compliance with the laws. These unintended consequences will have devastating impacts on daily operations and the success of good businesses large and small.

Please find attached a few examples of our concerns with the current language of the wage theft legislation. We are happy to work with the Committee to continue to address wage theft issues and enforcement in all business sectors. We appreciate the sponsors' and Committee's interest in ensuring that hard working individuals are paid in a timely and fair manner. Should you have any questions or would like additional information, please do not hesitate to contact Miranda Jones at [mjones@ogglaw.com](mailto:mjones@ogglaw.com) or any member of the Coalition.

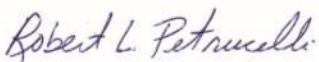
Respectfully,



Greg Beeman, President  
Associated Builders and Contractors  
of Massachusetts  
100 Unicorn Park Drive, Suite 100  
Woburn MA 01801



David Begelfer  
Chief Executive Officer  
NAIOP, The Commercial Real Estate Development Association



Robert L. Petrucci  
President & CEO  
888 Worcester Street  
Suite 40  
Wellesley, MA 02482-3708  
781.235.2680, ext. 14  
[petrucci@agcmass.org](mailto:petrucci@agcmass.org)  
[www.agcmass.org](http://www.agcmass.org)



Stephen P. Affanato, Executive Vice President  
New England MCA / MSCA / NCPWB  
1266 Furnace Brook Parkway, Suite 201  
Quincy, MA 02169  
617-405-4221 x3



Bradley A. MacDougall  
Vice President for Government Affairs  
Associated Industries of Massachusetts (AIM)



Glenn W. Kingsbury, Executive Manager  
Electrical Contractors Association of  
Greater Boston, Inc. — NECA Boston Chapter  
617-969-2521

*Monica Lawton*



Monica Lawton, CEO  
Associated Subcontractors of Massachusetts, Inc.  
15 Court Square, S.840  
Boston, MA 02108  
617-742-3412

*Thomas J. Gunning*



Thomas J. Gunning  
Building Trades Employers' Association  
of Boston and Eastern Massachusetts  
100 Grossman Drive, Suite 300  
Braintree, MA 02184  
781-849-3220

*James E. Rooney*



James E. Rooney  
President & Chief Executive Officer  
Greater Boston Chamber of Commerce  
265 Franklin Street, 17th Floor  
Boston, MA 02210  
(617) 227-4500

*John M. Pourbaix*



John M. Pourbaix, Jr., Executive Director  
Construction Industries of Massachusetts  
1500 Providence Highway, Suite 14  
Post Office Box 667  
Norwood, MA 02062

*Jori Blumsack*



Jori Blumsack  
President  
Massachusetts Staffing Association  
9 Bartlett Street, Suite 211  
Andover, MA 01810

*Greg Vasil*



Greg Vasil, President  
Greater Boston Real Estate Board

*Wayne Thomas*



Wayne Thomas

Executive Director  
Plumbing Heating Cooling Contractors  
of Massachusetts (PHCC)  
400 Washington Street – Suite 401  
Braintree, MA 02184  
781-848-8085

*William C. Rennie*



William C. Rennie  
Vice President  
Retailers Association of Massachusetts  
18 Tremont Street, Suite 810  
Boston, MA 02108

*Anne Klayman*



Anne Klayman, Executive Director  
Utility Contractors Association of New England  
300 Congress Street, Suite 101  
Quincy, MA 02169  
617-471-9955

One Center Plaza, Mezzanine Suite  
Boston, MA 02108  
617-423-8700

*Christopher Carlozzi*



Christopher Carlozzi, Massachusetts State Director  
National Federation of Independent Businesses  
10 High Street, Suite 1003  
Boston, MA 02110  
617-482-1327