HOUSE DOCKET, NO. 1672 FILED ON: 2/18/2011

HOUSE . . . . . No. 3411

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin Aguiar

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to disabled police officers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kevin Aguiar	*7th Bristol*

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HOUSE . . . . . No. 3411

By Mr. Aguiar of Fall River, a petition (accompanied by bill, House, No. 3411) of Kevin Aguiar relative to the reinstatement of disabled police officers. Public Service.

The Commonwealth of Massachusetts

An Act relative to disabled police officers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 31 of the General Laws is hereby amended by striking out section 39A , inserted by chapter 236 of the acts of 2010, and inserting in place thereof the following section:-

Section 39A. Any police or fire service personnel subject to the retraining requirements of section 39 shall be classified as a conditional employee during the retraining period as a precondition of reinstatement to his position. For purposes of this section, “conditional employee” shall mean a permanent employee of a police or fire department separated from his position because of disability for a period of time of more than 5 years. Such employee shall be entitled to the continuation of his disability status with no other compensation of rights due him until such time as he has successfully completed any approved retraining program required pursuant to said section 39 and has been subsequently reinstated to his position. No such employee shall increase his average rate of pay for pension purposes prior to the successful completion of the retraining program and reinstatement to his position. Such an employee shall be regarded as a member of the department from which he was separated to accommodate any retraining program approved by the personnel administrator.