



**Board of License Commissioners  
Greenfield, Massachusetts**

14 Court Square, Greenfield, MA 01301  
phone: 413)772-1580 fax: 413)772-1519  
email: [LoriK@Greenfield-MA.gov](mailto:LoriK@Greenfield-MA.gov)  
web: [www.Greenfield-MA.gov](http://www.Greenfield-MA.gov)

**Application for permit to perform work during a restricted legal holiday**

Please note: Applications must be received no later than 5:00pm on the Thursday preceding the Licensing Commission meeting in order to be considered.

Business name \_\_\_\_\_

Business address \_\_\_\_\_

Business phone \_\_\_\_\_

Name of contact person \_\_\_\_\_

Is this business:

Retail

If retail, is this for a liquor package store \_\_\_\_\_

or liquor pouring establishment \_\_\_\_\_

Non-retail

If non-retail, is this a manufacturing business? \_\_\_\_\_

For which holiday are you applying? \_\_\_\_\_

For what hours are you applying? \_\_\_\_\_

State why you are requesting a permit to operate during a restricted holiday: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I have read, understand, and will abide by the time and one-half pay and voluntariness of employment requirements:

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
date



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*Do not write below this line, for official use only*

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Licensing Commissioners' comments:

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Licensing Commissioners' approval:

Date:

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Conditions, restrictions, &/or modification to request:

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Chief of Police approval:

Date:

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**The Massachusetts Blue Laws**

(Revised 7/21/05)

Restrictions on business openings on Sundays and holidays, the Massachusetts Blue Laws, are administered by the Division of Occupational Safety under the authority of the Director of Labor. Violations of the Blue Laws are enforced by the Attorney General's Division of Fair Labor and Business Practices. This guide is designed to help both employees and employers understand the law in this area.

**SUNDAYS**

**A. RETAIL ESTABLISHMENTS**

Due to a change in the laws that was made in 1994, retailers are no longer restricted to opening at 12:00 noon and may open at any time on Sundays without the need for approval by the Department of Labor, and without the need for a local police permit. [M.G.L. c. 136, §16](#).

[M.G.L. Chapter 136, §6](#) contains exemptions from Blue Law restrictions for certain retail and non-retail businesses. If a business falls within one of these exemptions, the following restrictions do not apply.

Otherwise, any retail establishment which operates on Sundays is subject to the following two restrictions:

**1. Time and One-Half Pay**

Retailers that employ more than seven (7) persons, including the owner, are required to compensate employees who work on Sundays, except for bona fide executive, administrative and professional employees, at a rate of pay not less than one and one-half times their regular rate.

**2. Voluntariness of Employment**

Regardless of the number of employees, retailers cannot require employees to work on Sunday, and an employee's refusal to work may not be grounds for discrimination, dismissal, discharge, reduction in hours, or any other penalty.

**B. NON-RETAIL ESTABLISHMENTS**

Unless a non-retail business falls within one of the exemptions in [M.G.L. Chapter 136, §6](#) it is not allowed to operate on Sundays. However, for all businesses, a permit for work on Sundays may be issued by the police chief of the city or town where the business is located. A permit may be issued only for "necessary work or labor which could not be performed on any other day without serious suffering, loss, damage or public inconvenience, or which could not be performed on any other day without delay to military defense work." [M.G.L. c. 136, §7](#). Additionally, pursuant to [M.G.L. c. 149, §51A](#), manufacturers may petition the Attorney General for a temporary exemption from the Sunday work restriction.



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**HOLIDAYS**

If a retail or non-retail business falls within one of the exemptions in Chapter 136, it may operate on holidays. However, if the non-retail business is a factory or mill, **employees may not be required** to work on legal holidays pursuant to [M.G.L. 149, § 45](#) unless the work is "absolutely necessary and can be legally performed on Sunday." (**\*See manufacturers note below under non-retail**) Therefore, manufacturing employees must voluntarily agree to work. Otherwise, the following rules apply:

**A. RETAIL ESTABLISHMENTS**

**Unrestricted Holidays:**

Work may be performed without a permit. Time and one-half pay and voluntariness of employment requirements **do not** apply.

**Martin Luther King Day**

**President's Day**

**Evacuation Day**

**Patriots' Day**

**Bunker Hill Day**

**Partially Restricted Holidays:**

Work may be performed without a permit. Time and one-half pay and voluntariness of employment requirements **do** apply.

**New Year's Day**

**Memorial Day**

**Independence Day**

**Labor Day**

**Columbus Day after 12:00 noon**

**Veterans' Day after 1:00 p.m.**

**Restricted Holidays:**

Work may be performed only with a local police permit and approval by the State's Division of Occupational Safety.

**Columbus Day before 12:00 noon\***

**Veterans' Day before 1:00 p.m.\***

**Thanksgiving Day**

**Christmas Day**

\* If a permit is granted, time and one-half pay and voluntariness of employment requirements **do** apply.



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**HOLIDAYS**

If a retail or non-retail business falls within one of the exemptions in Chapter 136, it may operate on holidays. However, if the non-retail business is a factory or mill, **employees may not be required** to work on legal holidays pursuant to [M.G.L. 149, § 45](#) unless the work is "absolutely necessary and can be legally performed on Sunday." (**\*See manufacturers note below under non-retail**) Therefore, manufacturing employees must voluntarily agree to work. Otherwise, the following rules apply:

**B. NON-RETAIL ESTABLISHMENTS (\*Manufacturers see note below for special rules)**

**Unrestricted Holidays:**

Work may be performed without a permit. Time and one-half pay and voluntariness of employment requirements **do not** apply.

**New Year's Day**

**Martin Luther King Day**

**President's Day**

**Evacuation Day**

**Patriots Day**

**Bunker Hill Day**

**Columbus Day after 12:00 noon**

**Veterans Day after 1:00 p.m.**

**Restricted Holidays:**

Work may be performed only with a local police permit. Time and one-half pay and voluntariness of employment requirements **do not** apply.

**Memorial Day**

**Independence Day**

**Labor Day**

**Columbus Day before 12:00 noon**

**Veterans Day before 1:00 p.m.**

**Thanksgiving Day**

**Christmas Day**

\* **MANUFACTURERS NOTE:** Although manufacturers may lawfully stay open on legal holidays (assuming permits are obtained when necessary), M.G.L. c. 149, §45 establishes that non-exempt employees **cannot be required to work** on those days, but instead must be given the option to work or not. [Chapter 149, §45](#) states:



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*Whoever requires an employee to work in any mill or factory on any legal holiday, except to perform such work as is both absolutely necessary and can lawfully be performed on Sunday, shall be punished by a fine of not more than fifteen hundred dollars.*

The law provides a **very limited exception** when manufacturers can require work on holidays as follows: if the manufacturing work being performed is both 1) "**absolutely necessary**" and 2) "**can lawfully be performed on Sunday**" meaning that "**for technical reasons [it] require[s] continuous operation ...**," employees can be required to work. [M.G.L. c. 136, §6\(6\)](#). Otherwise work must be voluntary.