care for a family member with a serious health condition, or because of a qualifying exigency arising out of the fact that family member is on active duty or has been notified of an impending call to active duty in the Armed Forces.

up to 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member with

DETICITION
To fund PFML benefits, employers may deduct payroll contributions of up to 0.344% (adjusted annually) from a covered individual's wages or other earnings. A covered individual's average weekly earnings will determine his or her benefit amount, for a maximum weekly benefit of up to \$1,048.11 (adjusted annually).

Who is a Covered Individual Under the Law?

• up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that inca

Notice of Benefits Available Under M.G.L. Chapter 175M **Paid Family and Medical Leave** 



HR | Payroll | Benefits | Insurance

# Massachusetts **State Labor Law Postings**

Unemployment Insurance

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Information on Employees' Unemployment Insurance Coverage

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts employers. No deductions are made from your salary to cover the cost of your Unemployment Insurance benefits. If you lose your job, you may be entitled to collect Unemployment Insurance. Outlined below is the information you need in order to apply for Unemployment Insurance (UI) benefits. Before you file, your employer will give you a copy of the pamphlet: How LApply for Unemployment Insurance Benefits, provided by the Massachusetts Department of Unemployment Assistance (DUA). You must be in the United States, its territories, or Canada when filing a claim or certifying for weekly UI benefits.

### There are two ways to apply for UI Benefits:



### Apply by Using UI Online

UI Online is a secure, easy-to-use, self-service system. You can apply for benefits, reopen an existing claim, request weekly benefit payments, check your claim status, sign up for direct deposit, update your address, and even file an appeal online. To apply for benefits using UI Online, go to wawnass\_gov/dua, and select UI Online for Claimants, and complete the required information to submit your application.

1-617-626-6800 from any other area code. You will be asked to enter your Social Security Number and the

year you were born. You will then be connected to an agent who will take the information necessary to file

Any last digit

If the last digit of your Social Security Number is: Assigned day to call Teleclaim is:

ກະລຸນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກ

## Apply by calling the TeleClaim Center Unemployment Insurance services are available by telephone. You can apply for Unemployment Insurat benefits, reopen a current claim, obtain up-to-date information on the status of your claim and benefit payment, resolve problems, and sign up for direct deposit — all by telephone. To apply for benefits by telephone, call the TeleClaim Center at 1-877-626-6800 from area codes 351, 413, 508, 774, and 978; or

Note: During peak periods from Monday through

Thursday, call scheduling may be implemented, providing priority for callers based on the last digit of their Social Security Number. This helps ensure that you and others can get through to the TeleClaim Center in a timely manner. Please heck the schedule on the right before calling

សូមបកប្រែវ៉ាជាបន្ទាន់ ។

រកសារនេះមានផ្លូវព័ត៌មានដ៏សំខាន់ ។ និកសារនេះមានផ្លូវព័ត៌មានដ៏សំខាន់ ។ برجي ترجمتها فراً!

Questo documento contiene informazi importanti. La preghlamo di tradurlo inmediatamente. Este documento contém informações importantes. Por favor, traduzi-lo imediatamente. ຢ່າງບໍ່ລໍຂ້າ.

employer, in a conspicuous place, where it is accessible to all employees. It must include the name and mailing address of the em the identification number assigned to the employer by the Department of Unemployment Assistance.

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. For hearing-impaired relay services, call 711.

Monday

### Fair Employment

Applicants to and employees of private employers with 6 or more employees\*, state and local governments, employment agencies and labor organizations are protected under Massachusetts General Laws Chapter 151B from discrimination on the following bases:

CONDITIONS, GENDER IDENTITY, SEXUAL ORIENTATION
M.G.L. c. 151B protects applicants and employees from
discrimination in hiring, promotion, discharge,
compensation, benefits, training, classification and other
aspects of employment on the basis of race, color, religion,
disability, national origin (including unlawful language
proficiency requirements), age (if you are 40 years old or
older), sex, pregnancy or a condition related to pregnancy,
gender identity, sexual orientation, genetic information,
ancestry, and military service. Religious discrimination
includes failing to reasonably accommodate an employee's
religious practices where the accommodation does not

Sexual harassment includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to or rejection of such advances, requests or conduct is made explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with a person's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. The law does porsibility harassment work environment. The law also prohibits harassment based on the protected classes set forth above.

PREGNANCY
The Pregnant Workers Fairness Act prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child, and describes employers' obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive.

PARENTAL LEAVE.

The law requires employers to grant an employee who has completed an initial probationary period and has given two (2) weeks' notice of the anticipated date of departure and the employee's intention to return, at least eight (8) weeks of paid or unpaid leave for the purpose of childbirth, adoption of a child under 18, or adoption of a child und

DISABILITY
M.G.L. c. 151B prohibits discrimination the basis of disability, a record of disability or perceived disabilit hiring, promotion, discharge, compensation, benefits, training, classification and other aspects of employment. Disability discrimination may include failing to reasonably accommodate an otherwise qualified person with a disability.

It is illegal to retaliate against any person because s/he has opposed any discriminatory practices or because s/he has filled a complaint, testified, or assisted in any proceeding before the Commission. It is also illegal to aid, abet, incite, compel or coerce any act forbidden under M.G.L. c. 151B, or

DOMESTIC WORKERS

M.G.L. c.1518 prohibits discrimination and harassment against certain domestic workers where the employer has one (1) or more employee. \*While some exclusions apply, domestic workers generally include individuals paid to perform work of a domestic nature within a household on a regular basis, such as housekeeping, housecleaning, namy services, and/or caretaking. Employers are prohibited from engaging in sexual harassment and harassment and/or discrimination based on the protected classes described above, i.e. race, color, etc. Domestic workers are also entitled to parental leave.

IF YOU HAVE BEEN DISCRIMINATED AGAINST

### **Minimum Wage**

# Massachusetts Wage & Hour Laws



Office of Massachusetts Attorney General Maura Healey

Fair Labor Hotline (617) 727-3465 TTY (617) 727-4765





www.mass.gov/ago/fairlabor

Employers Must Not Discriminate

Religion, national origin, or ancestry Sex (including pregnancy)

elderly relative's doctor or dentist appointme

**Public Works and Public Construction Workers** 

Rights of Temporary Workers

· Race or color

child's school activities.

Reporting Pay

Employees who miss more than 3 days in a row may need to provide their employer a doctor's note.

In some cases, employees have the right to take up to 24 hours unpaid leave every 12 months for their:

Employees are eligible for this leave if the employer has at least 50 employees and the employee has:

loyees are eligible for this leave it the employer has at least 30 employees and the emp been employed for at least 12 months by the employer and worked at least 1,250 hours for the employer during the previous 12-month period.

State law requires all employers to post this notice at the workplace in a location where it can easily be read. M.G.L. Chapter 151, Section 16; 454 C.M.R. 27.07(1)

M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151B, Section 4

Sexual orientation or gender identity or expression

M.G.L. Chapter 149, Section 148A; M.G.L. Chapter 151, Section 19

More than 6 days per week

Genetic information or disability

M.G.L. Chapter 149, Section 148C

454 C.M.R. 27.04(1)

M.G.L. Chapter 149, Section 159C

### Minimum Wage

In Massachusetts, all workers are presumed to be employees. The minimum wage applies to **all** 

- agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers)
- members of a religious order, workers being trained in certain educational,
- nonprofit, or religious organizations, and

Effective Date Minimum Wage Service Rate January 1, 2017 \$11.00 \$3.75 January 1, 2019 \$4.35 \$12.00 January 1, 2020 \$12.75 \$4.95 January 1, 2021 \$13.50 \$5.55 \$14.25 \$6.15 January 1, 2022 January 1, 2023 \$15.00 \$6.75

M.G.I. Chapter 149 Section 152A: M.G.I. Chapter 151 Section 7

The hourly "service rate" applies to workers who provide services to customers and who make more than \$20 a month in tips. The average hourly tips, plus the hourly service rate paid to the worker must add up to the minimum wage per each shift. Employers, owners and employees with managerial or supervisory responsibilities on a given day must never take any of your tips. Tips and service charges listed on a bill must be given only to wait staff, service bartenders, or other service employees Tip pooling is allowed only for wait staff, service bartenders, and other service employees.

M.G.L. Chapter 151, Sections 1A and 1B Generally, employees who work more than 40 hours in any week must be paid overtime. Overtime pay is at least 1.5 x the regular rate of pay for each hour worked over 40 hours in a week.

For some employees who get paid the "service rate," the overtime rate is 1.5 x the basic minimum wage, not the service rate.

 $\label{lem:exception:} Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit \\ \textit{www.moss.gov/ago/fairlabor} or call the Attorney General's Fair Labor Division at (617) 727-3465.$ 

M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.02 The law says when, what, and how employees must be paid. An employee's pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned commissions that are definitely determined, due and payable.

Hourly employees must be paid every week or every other week (bi-weekly). The deadline to pay is 6 or 7 days after the pay period ends, depending on how many days an employee worked during one calendar week. Employees who quit must be paid in full on the next regular payday or by the first Saturday after they quit (if there is no regular payday). Employees who are fired or laid off must be paid in full on their last day of work.

M.U.L. Chapter 149, Secti All employees must get a statement, at no cost, with their pay that says the name of the employer and employee, the date of pay month, day, and year), the number of hours worked during the pay period, the hourly rate, and all deductions or increases mad during the pay period.

An employer cannot deduct money from an employee's pay unless the law allows it (such as state and federal income taxes), or the employee asked for a deduction to be made for the employee's own benefit (such as to put money aside in the employee's savings

An employer cannot take money from an employee's pay for the employer's ordinary business costs (for example: supplies materials tools needed for the employee's job). An employer who requires an employee to buy or rent a uniform must refund the actual costs The law also puts limits on when and how much money an employer can take from an employee's pay for housing and meals the

Hours worked or "working time" includes all time that an employee must be on duty at the employer's worksite or other location, and works before or after the normal shift to complete the work.

M.C.L. Chapter 149, Sections 100 and 101 Most employees who work more than 6 hours must get a 30-minute meal break. During their meal break, employees must be free of all duties and free to leave the workplace. If, at the request of the employer, an employee agrees to work or stay at the workplace during the meal break, the employee must get paid for that time.

16 & 17

Employers must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and

children; and legal help, protective orders, and going to court.
The leave can be paid or unpaid depending on the employer's policy. This law applies to employers with 50 or more employees. Employees Have the Right to Sue M.G.L. Chapter 149, Section 150; M.G.L. Chapter 151, Sections 1B and 20

ers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say when, where, and how long minors may work. They also say what kinds of work or tasks minors must NOT do.

M.G.L. Chapter 149, Sections 100 and 101

Handle, serve, or sell alcoholic beverages

Payroll records must include the employee's name, address, job/occupation, amount paid each pay period, and hours worked (each day

**Employers Must Not Retaliate** 

Work Permits Required - Most workers under 18 must obtain a work permit. Employers must keep their minor workers' work permits on file at the worksite. To get a work permit, the minor must apply to the superintendent of the school district where the minor lives or goes to school. To learn more about getting a work permit, contact the Department of Labor Standards at (617) 626-6975, or www.mass.gov/dols. Time & Schedule Restrictions for Minors

Dangerous Jobs & Tasks Minors Must Not Do Must Not

Employees Under 18 - Child Labor

 Work at a job that requires that he employee have or use a
 Work 30 or more feet off of the ground Use, clean or repair certain kinds of power-driven machines Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NIECO broilers, or 14 & 15 · Work in or near factories, construction sites Operate, clean or repair power-driven food slicers,

garages, tunnels, or other risky workplaces Minors under 14 cannot work in Massachusetts in most cases. These are just some examples of tasks prohibited under both state and federal law. For a complete list of prohibited jobs for minors, contact the Attorney General's Fair Labor Division: (617) 727-3465 • www.moss.gov/ogol/youthemployment. Or contact the U.S. Department of Labor: (617) 624-6700 • www.youth.dol.gov

Must not work

At any time:

At night, from 10 p.m. to 6 a.m. (or past 10:15 if the employer stops serving customers at 10 p.m.)

Exception: On non-school nights, may work until 11:30 p.m. or until midght, if working at a restaurant or racetrack. At night, from 7 p.m. to 7 a.m. Exception: In summer (July 1 – Labor Day), may work until 9 p.m.

During the School Year:\* During school hours
More than 3 hours on any school day
More than 18 hours during any week
More than 8 hours on any weekend or holiday

\*Exception: For school-approved career or experience-building jobs, students may be allowed to work during the school day, up to 23 Adult Supervision Required After 8 p.m. - After 8 p.m., all minors must be directly supervised by an adult who is located in the workplace and is reasonably accessible. Exception: Adult supervision is not required for minors working at a kiosk or stand in a common area of an enclosed shopping mall that has security from 8 p.m. until the mall closes.

EMPLOYER NOTE: Must be posted in a conspicuous place for convenient viewing by all employees and applicants.

(?) Contact the Attorney General's Fair Labor Division: (617) 727-3465 – www.mass.gov/ago/fairlabor

## FAIR EMPLOYMENT IN MASSACHUSETTS

RACE, COLOR, RELIGION, DISABILITY, NATIONAL ORIGIN, AGE, SEX, PREGNANCY AND PREGNANCY-RELATED NDITIONS, GENDER IDENTITY, SEXUAL ORIENTATION, GENETIC INFORMATION, ANCESTRY, MILITARY SERVICE

DOMESTIC WORKERS

CRIMINAL HISTORY INQUIRIES

MENTAL HEALTH FACILITY ADMISSION INQUIRIES Employers may not refuse to hire or terminate an employe for failing to furnish information regarding his/her admission to a facility for the care and treatment of mentally ill persons. An employment application may not seek information about an applicant's admission to such a

If you feel you have been harassed or discriminated against, you should <u>immediately</u> file a charge of discrimination with the Massachusetts Commission Against Discrimination, www.mcad.gov, at one of the offices below. An agreement with your employer to arbitrate your discrimination claim(s) does not bar you from filing a charge of

Boston Office: 1 Ashburton PL, Suite 601, Boston, MA 02108 – P: 617-994-6000 F: 617-994-6024 w Bedford Office: 800 Purchase St., Room 501, New Bedford, MA 02740 – P: 508-990-2390 F: 508-990-3 Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 – P: 413-739-2145 F: 413-784-105 Worcester Office: 484 Main St., Room 320, Worcester, MA 01608 – P: 508-453-9630 F: 508-755-3861 For more information, please see our website: www.mass.gov/mcad/

Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and they may earn and take up to 40 hou of sick leave a year. Employees begin accruing sick time on their first day of work. Employees must have access to their sick leave 90 days after starting work.

Eligible employees may use their sick leave if they or their child, spouse, parent, or spouse's parent is sick, injured, or has a routine medical appointment. They may also use sick leave for themselves or their child to address the effects of domestic violence.

Unless it is an emergency, employees must notify the employer before using sick leave.

Subject to certain limited exceptions, employers must not pay one employee less for doing the same or comparable work as another employee of a different gender.

They must not discriminate in hiring, pay or other compensation, or other terms of employment based on a person's:

Most employees must be paid for 3 hours at no less than minimum wage if the employee is scheduled to work 3 or more hours, and reports to work on time, and is not given the expected hours of work.

To learn about additional rights for workers who provide housekeeping, cleaning, childcare, cooking, home management, elder care,

Employees who are victims, or whose family members are victims, of domestic violence, sexual assault, stalking or kidnapping have the right to 15 days of leave for related needs, such as health care, counseling, and victims services; safe housing; care and custody of their

Employees have the right to sue their employer for most violations of wage and hour laws.

Employees may sue as an individual or they may sue their employer as a group if they have similar complaints. Employees who win their case will receive back pay, triple damages, attorneys fees, and court costs.

It is against the law for an employer to punish or discriminate against an employee for making a complaint or trying to enforce the rights explained in this poster.

Important! There are strict deadlines for starting a lawsuit. For most cases, the deadline is 3 years after the viol

rights explained in this poster.

The laws explained in this poster apply to all workers, regardless of immigration status, including undocum employer reports or threatens to report a worker to immigration authorities because the worker complain rights, the employer can be prosecuted and/or subject to civil penalties.

Workers who work on public construction projects and certain other public work must be paid the prevailing wage, a minimum set by the Department of Labor Standards based on the type of work performed.

To learn about rights of temporary workers and employees hired through staffing agencies, call: 617-626-6970 or go to:

• Age





## The Commonwealth of Massachusetts

LAFAYETTE CITY CENTER, 2 AVENUE DE LAFAYETTE, BOSTON, MA 02111

quired by Massachusetts General Law, Chapter 152, Sections 21, 22 & 30, this will give you notice (we) have provided for payment to our injured employees under the above-mentioned chapter by insuring with:

ADDRESS OF INSURANCE COMPANY

POLICY NUMBER NAME OF INSURANCE AGENT ADDRESS PHONE # EMPLOYER ADDRESS

### MEDICAL TREATMENT

The above named insurer is required in cases of personal injuries arising out of and in the course of employment to furnish adequate and reasonable hospital and medical services in accordance with the provisions of the Workers' Compensation Act. A copy of the First Report of Injury must be given to the injured employee. The employee may select his or her own physician. The reasonable cost of the ser-

TO BE POSTED BY EMPLOYER

# **EARNED SICK TIME**

WHO QUALIFIES?

If an employer has 11 or more employees, sick time must be paid. All employees in Massachusetts can earn sick time.

This includes full-time, part-time, temporary, and seasonal employees. HOW IS IT EARNED?

Employees earn 1 hour of sick time for every 30 hours they work.

delaying payment of earned sick timemployee, taking away work hours, employee undesirable assignments.

Office of the Attorney General

Job Protection ———

### No Retaliation or Discrimination

t more than three years after the violation occurs, institute titled to damages of as much as three times his or her lost wages

If you have questions or concerns about your Paid Family and Medical Leave rights, please call:

(833) 344-7365 or visit: https://www.mass.gov/DFML

This notice must be posted in a conspicuous place on the employer's premises.

### **Maternity And Parental Leave**

# **Against Discrimination**

PARENTAL LEAVE

An Act Relative to Parental Leave expands the current maternity leave law, G.L. c. 149, § 105D, which is enforced by the Massachusetts Commission Against Discrimination (MCAD). Currently, Massachusetts law requires employers with six or more employers to provide eight weeks of unpaid massachaseus law lequies employers with sax of more employees to produce eight weeks of displan maternity leave for the purpose of giving birth or for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption. The new law goes into effect on April 7, 2015 and expands the current leave law in the following ways:

If the employer agrees to provide parental leave for longer than 8 weeks, the employer must reinstate the employee at the end of the extended leave unless it clearly informs the employee in writing before the leave and before any extension of that leave, that taking longer than 8 weeks of leave shall result in the denial of reinstatement or the loss of other rights and benefits.

The law provides that if two employees of the same employer give birth to or adopt the same child, the two employees are entitled to an aggregate of 8 weeks of leave.

The law expands the notice requirements, mandating that employers keep a posting in a conspicuous place describing the law's requirements and the employer's policies as to parental leave.

Boston: One Ashburton Place, Room 601, Boston, MA 02108; 617-994-8000
Springfield: 436 Dwight Street, Room 220, Springfield: MA 01103, 413-739-2145
Worcester: 494 Main Street, Room 320, Worcester, MA 01608; 508-453-9630
New Bedford: 800 Purchase, Room 501, New Bedford, MA 02740; 506-990-2390
Visit our website for more resources and instructions on filing a complaint: <a href="https://www.mass.gov/mcad">www.mass.gov/mcad</a>

Workers' Compensation

**☆ A** 

NOTICE TO **EMPLOYEES** 

DATE

# DEPARTMENT OF INDUSTRIAL ACCIDENTS

(617) 727-4900 – www.mass.gov/dia

NAME OF INSURANCE COMPANY

EFFECTIVE DATES

**Notice of Employee Rights** 

WILL IT BE PAID?

O For employers with 10 or fewer employees, sick time may be unpaid. O Paid sick time must be paid on the same schedule and at the same rate as regular wages.

An employee can use sick time when the employee or the employee's child, spouse, parent, or parent of a spouse is sick, has a medical appointment, or has to address the effects of domestic violence.

Sick time cannot be used as an excuse to be late for work without advance notice of a proper use.

**CAN AN EMPLOYER HAVE A DIFFERENT POLICY?** . Employers may have their own sick leave or paid time off policy, so long as employees can use at least the amount of time, for the same reasons, and with the same job-protections as under the Earned Sick Time Law.

# **RETALIATION**

Examples of retaliation include: denying use or delaying payment of earned sick time, firing an

**Massachusetts Commission** 

The parental leave law is now gender neutral. Both men and women are entitled to parental leave.

The law clarifies that the right to leave applies to employees who have completed an initial probationary period set by the terms of employment, but which is not greater than 3 months.

The law clarifies that an employee seeking leave must provide at least 2 weeks' notice of the anticipated date of departure and the employee's intention to return, but also permits the employee to provide notice as soon as practicable if the delay is for reasons beyond the employee's control.

EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY)

vices provided by the treating physician will be paid by the insurer, if the treatment is necessary and reasonably connected to the work related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the

Earned Sick Time

WHEN CAN IT BE USED?

Employees with unused earned sick time at the end of the year can **rollover up to 40 hours**.

Employees begin carning sick time on their first day of work and may begin using earned sick time 90 days after starting work.

Work and may begin using earned sick time 90 days after starting work.

Employees must **notify** their employer before they use sick time, except in a emergency. Finployers may require employees to use a reasonable notification system the employer creations.

Call the Fair Labor Division at 617-727-3465 Visit www.mass.gov/ago/earnedsicktime

If an employee is out of work for 3 consecutive days OR uses sick time within 2 weeks of leaving his or her job, an employer may require documentation from a medical provider. DO YOU HAVE QUESTIONS?

The Attorney General enforces the Farmed Sick Time Law and regulations.

Its utdential is violate any provision of the Earned Sick Time Line.

Violations of any processing the Control of the Earned Sick Time Line.

This notice is intended to inform.

This notice is intended to inform.

Full text of the law and regulations are available at vew runnars gov/ragov/earnedsicktime.

The law clarifies that an employee on parental leave for the adoption of a child shall be entitled to the same benefits offered to an employee on leave for the birth of a child.