Your Employee Rights Under the **Family and Medical Leave Act**

What is FMLA leave?

for the servicemember

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for gualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for

The birth, adoption or foster placement of a child with you. Your serious mental or physical health condition that makes you unable to work, To care for your spouse, child or parent with a serious mental or physical health condition, and Certain qualifying reasons related to the foreign deployment of

your spouse, child or parent who is a military servicemember. An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMLA leave intermittently in separate blocks of time, or on a reduced schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave

Am I eligible to take FMLA leave?

You are an eligible employee if all of the following apply:

- You work for a covered employer, You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your work location.

Ref.: 29 CFR §825.300

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Airline flight crew employees have different "hours of service requirements

You work for a covered employer if one of the following applies: · You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar

You work for an elementary or public or private secondary school, You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by

Title II of the FMLA, administered by the Office of Personnel

You do not have to share a medical diagnosis but must provide

enough information to your employer so they can determine whether

employer if FMLA leave was previously taken or approved for the

the leave qualifies for FMLA protection. You must also inform your

How do I request FMLA leave?

Generally, to request FMLA leave you must:

same reason when requesting additional leave.

Personnel Management or Congress

exigency.

may qualify under the FMLA, your employer must confirm whether **you are eligible** or not eligible for FMLA leave. If your employer Follow your employer's normal policies for requesting leave, determines that you are eligible, your employer must notify you in Give notice at least 30 days before your need for FMLA leave, or If advance notice is not possible, give notice as soon as possible. writing

> About your FMLA rights and responsibilities, and · How much of your requested leave, if any, will be FMLA-protected leave

What does my employer need to do?

· Allow you to take job-protected time off work for a qualifying

on the same basis as if you had not taken leave, and

Continue your group health plan coverage while you are on leave

Allow you to return to the same job, or a virtually identical job with

the same pay, benefits and other working conditions, including

Your employer cannot interfere with your FMLA rights or threaten

your employer cannot retaliate against you for requesting FMLA leave

or punish you for exercising your rights under the law. For example,

After becoming aware that your need for leave is for a reason that

If you are eligible for FMLA leave, your employer must:

shift and location, at the end of your leave

or cooperating with a WHD investigation

Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. Your employer may request certification from a health care provider to verify medical leave and may request certification of a qualifying If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD

The FMLA does not affect any federal or state law prohibiting complaint process discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave





FAIR EMPLOYMENT IN MASSACHUSETTS

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:

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

M.G.L. c. 151B protects applicants and employees from training, classification and other aspects of employment discrimination in hiring, promotion, discharge, Disability discrimination may include failing to reasonably compensation, benefits, training, classification and other accommodate an otherwise qualified person with a aspects of employment on the basis of race, color, religion, disability 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,

ender identity, sexual orientation, genetic information,

ncestry, and military service. Religious discrimination

religious practices where the accommodation does not

impose an undue hardship.

HARASSMENT

PREGNANCY

PARENTAL LEAVE

includes failing to reasonably accommodate an employee's

exual harassment includes sexual advances, requests for

sexual favors, and other verbal or physical conduct of a

advances, requests or conduct is made explicitly or

onduct have the purpose or effect of unreasonably

ased on the protected classes set forth above.

sexual nature when (a) submission to or rejection of such

implicitly a term or condition of employment or as a basis

for employment decisions: (b) such advances, requests or

nterfering with a person's work performance by creating

an intimidating, hostile, humiliating or sexually offensive

work environment. The law also prohibits harassment

'he 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'

the protections these employees are entitled to receive.

completed an initial probationary period and has given two

e employee's intention to return, at least eight (8) weeks

(2) weeks' notice of the anticipated date of departure and

of paid or unpaid leave for the purpose of childbirth,

M.G.L. c. 151B prohibits discrimination the basis of

hiring, promotion, discharge, compensation, benefits,

employers to grant an employee who has

RETALIATION

It is illegal to retaliate against any person because s/he has opposed any discriminatory practices or because s/he has filed 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 attempt to do so

CHILD LABOR

DOMESTIC WORKERS

M.G.L. c. 151B prohibits discrimination and harassment against certain domestic workers where the employer has ne (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, nanny 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.

CRIMINAL HISTORY INQUIRIES

The law prohibits employers from asking applicants on an initial employment application for any criminal background information unless an exemption by statute or regulation bligations to employees that are pregnant or lactating and

MENTAL HEALTH FACILITY ADMISSION INQUIRIES

Employers may not refuse to hire or terminate an employee or 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

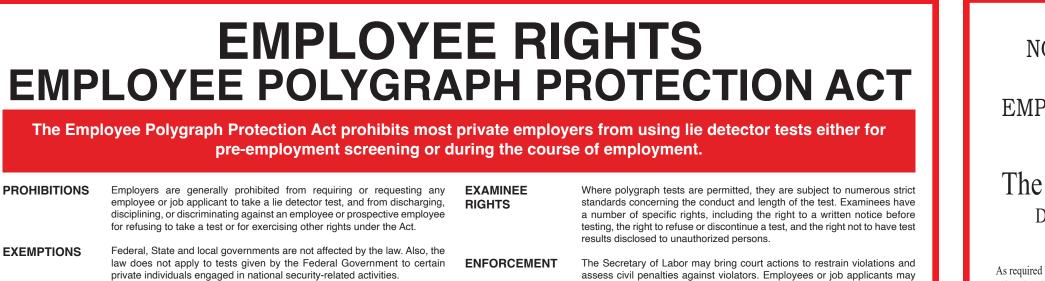
adoption of a child under 18, or adoption of a child under IF YOU HAVE BEEN DISCRIMINATED AGAINST 3 years old if the child has a mental or physical disability. If you feel you have been harassed or discriminated against ou should <u>immediately</u> file a charge of discrimination with the Massachusetts Commission Against Discrimination www.mcad.gov, at one of the offices below. An agreement disability, a record of disability or perceived disability, in with your employer to arbitrate your discrimination

laim(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 Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 - P: 413-739-2145 F: 413-784-1056 For more information, please see our website: www.mass.gov/mcad/

Revised February 2023 Ref.: M.G.L Chapter 151B. Sec. 7

DISABILITY



or requests for dates or sex • staring or leering at a person • ridicule or hostility

SCAN ME

WH1420 REV 04/23

assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

NOTICE NOTICE TO TO **EMPLOYEES EMPLOYEES**

The Commonwealth of Massachusetts DEPARTMENT OF INDUSTRIAL ACCIDENTS

LAFAYETTE CITY CENTER, 2 AVENUE DE LAFAYETTE, BOSTON, MA 02111 (617) 727-4900 - www.mass.gov/dia

As required by Massachusetts General Law, Chapter 152, Sections 21, 22 & 30, this will give you notice that I/We have provided for payment to our injured employees under the above-mentioned chapter by insuring with:

NAME OF INSURANCE COMPANY

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25 PER HOUR

BEGINNING JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

- **OVERTIME PAY** At least 1½ times the regular rate of pay for all hours worked over 40 in a workweek. An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old ma work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.
- Employers of "tipped employees" who meet certain conditions may claim a partial wage credit TIP CREDIT based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equa the minimum hourly wage, the employer must make up the difference
- PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs o express breast milk. Employers must provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.
- ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/ or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened

civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime ADDITIONAL pay provisions. Certain narrow exemptions also apply to the pump at work requirements. INFORMATION Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
 - Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be
 - paid less than the minimum wage under special certificates issued by the Department of Lab



Massac	husetts W	/age & Hou	r Laws
The minimum wage is \$15.00	Fair Labor Hotline (617) 727-3465 TTY (617) 727-4765	www.mass.gov/ago/fairlabor	Massachusetts Attorney General Andrea Joy Campbel
Minimum Wage M.G.L. Chapter 151, Sections 1, 2, 2A, and 7 Beginning January 1, 2023, the minimum wage in I to be employees. The minimum wage applies to all employee • agricultural workers (\$8.00 per hour is the minimum wo • members of a religious order, • workers being trained in certain educational, nonprofit, • outside salespeople. Tips	or religious organizations, and M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7	Sick Leave Most employees have the right to earn 1 hour of sick leave for every 30 hours they w of sick leave a year. Employees begin accruing sick time on their first day of work. En days after starting work. Eligible employees may use their sick leave if they or their child, spouse, parent, or sp medical appointment. They may also use sick leave for themselves or their child to ad Unless it is an emergency, employees must notify the employer before using sick leave Employees who miss more than 3 days in a row may need to provide their employer Paid Sick Leave	nployees must have access to their sick leave 90 nouse's parent is sick, injured, or has a routine dress the effects of domestic violence. e. a doctor's note.
Beginning January 1, 2023, the service rate in Massachusetts provide services to customers and who make more than \$20 paid to the worker must add up to the minimum wage per eas	M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7 is \$6.75/hour. The hourly "service rate" applies to workers who a month in tips. The average hourly tips, plus the hourly service rate th shift. Employers, owners and employees with managerial or by of your tips. Tips and service charges listed on a bill must be given	leave; however, it does not need to be paid.	, Section 105A; M.G.L. Chapter 151B, Section

M.G.L. Chapter 151, Sections 1A and 1B

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: Race or color • Sexual orientation or gender identity or expression Religion, national origin, or ancestry Genetic information or disability • Sex (including pregnancy) Age Military service

Small Necessities Leave

child's doctor or dentist appointment, or

- M.G.L. Chapter 149, Section 52D In some cases, employees have the right to take up to 24 hours unpaid leave every 12 months for their: child's school activities.
- **Payment of Wages**

of pay for each hour worked over 40 hours in a week

and other service employees

Overtime

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,

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

only to wait staff, service bartenders, or other service employees. Tip pooling is allowed only for wait staff, service bartenders,

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

www.mass.aov/aao/fairlabor or call the Attorney General's Fair Labor Division at (617) 727-3465.

Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit

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

• elderly relative's doctor or dentist appointments, or other appointments

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of UNITED STATES DEPARTMENT OF LABOR

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer

The Act permits polygraph (a kind of lie detector) tests to be administered

in the private sector, subject to restrictions, to certain prospective

pharmaceutical manufacturers, distributors and dispensers.

employees of security service firms (armored car, alarm, and guard), and of

The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests



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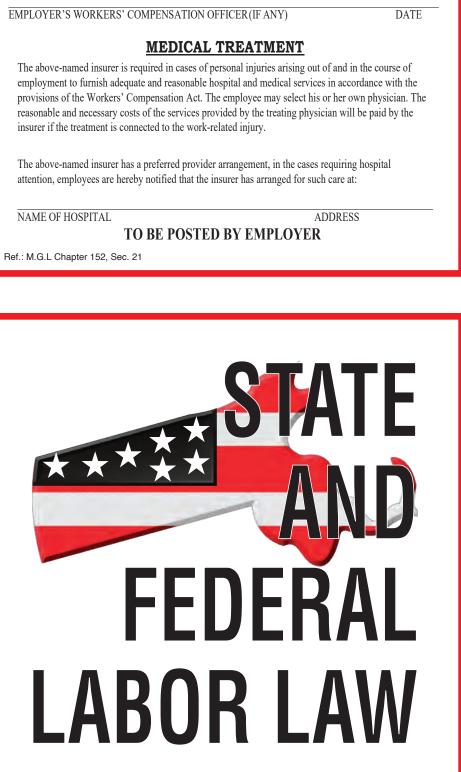
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or sex • staring or leering at a person • ridicule or hostility

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ADDRESS OF INSURANCE COMPANY									
POLICY NUMBER		EFFECTIVE DATES							
NAME OF INSURANCE AGENT	ADDRESS	PHONE #							
EMPLOYER	ADDRESS								
EMPLOYER'S WORKERS' COMPEN	DATE								



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,	Employees are eligible for this leave if the employer has at least 50 employees and the employee has: • 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.				
lepending on how many days an employee worked during one calendar week. mployees 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 ayday). Employees who are fired or laid off must be paid in full on their last day of work.	Reporting Pay 454 C.M.R. 27.04(1) 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.				
aystub Information M.G.L. Chapter 149, Section 148 Il employees must get a statement, at no cost, with their pay that says the name of the employer and employee, the date of payment nonth, day, and year), the number of hours worked during the pay period, the hourly rate, and all deductions or increases made uring the pay period.	Rights of Temporary Workers M.G.L. Chapter 149, Section 159C To learn about rights of temporary workers and employees hired through staffing agencies, call: 617-626-6970 or go to: www.mass.gov/dols.				
Pay Deductions M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.05 n employer cannot deduct money from an employee's pay unless the law allows it (such as state and federal income taxes), or the mployee asked for a deduction to be made for the employee's own benefit (such as to put money aside in the employee's savings	Rights of Domestic Workers M.G.L. Chapter 149, Section 190 To learn about additional rights for workers who provide housekeeping, cleaning, childcare, cooking, home management, elder care, or similar services in a household, go to www.mass.gov/ago/DW.				
ccount). n 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 employee.	Public Works and Public Construction Workers M.G.L. Chapter 149, Section 26-27H Workers who work on public construction projects and certain other public work must be paid the prevailing wage, a minimum rate set by the Department of Labor Standards based on the type of work performed.				
he law also puts limits on when and how much money an employer can take from an employee's pay for housing and meals the mployer gives to the employee.	Domestic Violence Leave M.G.L. Chapter 149, Section 52E 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				
Hours Worked 454 C.M.R. 27.02 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.	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.				
Meal Breaks M.G.L. Chapter 149, Sections 100 and 101 Aost employees who work more than 6 hours must get a 30-minute meal break. During their meal break, employees must be free of all uties 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.	 Employees Have the Right to Sue M.G.L. Chapter 149, Section 150; M.G.L. Chapter 151, Sections 1B and 20 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. Important! There are strict deadlines for starting a lawsuit. For most cases, the deadline is 3 years after the violation. 				
Payroll Records M.G.L. Chapter 151, Section 15 Payroll records must include the employee's name, address, job/occupation, amount paid each pay period, and hours worked (each day und week). imployers must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places. Employees Under 18 – Child Labor All employers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say when, where, or Nork Permits Required - Most workers under 18 must obtain a work permit. Employers must keep their minor workers' chool district where the minor lives or goes to school. To learn more about getting a work permit, contact the Department	work permits on file at the worksite. To get a work permit, the minor must apply to the superintendent of the				
Dangerous Jobs & Tasks Minors Must Not Do Age Must Not	Time & Schedule Restrictions for Minors Age Must not work At any time:				
 5 & 17 Drive most motor vehicles or forklifts Work at a job that requires that the employee have or use a firearm Use, clean or repair certain kinds of power-driven machines Handle, serve, or sell alcoholic beverages Work 30 or more feet off of the ground 	16 & 17 At night, from 10 p.m. to 6 a.m. (or past 10:15 if the employer stops serving customers at 10 p.m.) • More than 9 hours per day Exception: On non-school nights, may work until 11:30 p.m. or until midnight, if working at a restaurant or racetrack. • More than 6 days per week				
 4 & 15 Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NEICO broilers, or pressure cookers Operate, clean or repair power-driven food slicers, grinders, choppers, processors, cutters, and mixers Work in freezers or meat coolers Perform any baking activities Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces 	14 & 15 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:* When school is not in session: • 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				
 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 ninors, contact the Attorney General's Fair Labor Division: (617) 727-3465 www.mass.gov/ago/youthemployment. Or contact the J.S. Department of Labor: (617) 624-6700 www.youth.dol.gov 	*Exception: For school-approved career or experience-building jobs, students may be allowed to work during the school day, up to 23 hours a week. 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.				
? Contact the Attorney General's Fair Labor D	ivision: (617) 727-3465 – www.mass.gov/ago/fairlabor				
ief.: M.G.L Chapter 151, Sec. 16	Rev. 06/2021 [01/2023]				
	SICK TIME				
Beginning July 1, 2015, Massachusetts employees have the right to earn and take sick leave from work. WHO QUALIFIES?	CAN AN EMPLOYER HAVE A DIFFERENT POLICY? Yes. Employers may have their own sick leave or paid time off policy, so long as employees can use at least the same amount of time, for the same reasons, and with the same inb-				

Dangero Age	us Jobs & Tasks Minors Must Not Do Must Not		Time & S Age	chedule Restrictions for Minors Must not work	At any time:				
16 & 17	 16 & 17 Drive most motor vehicles or forklifts Work at a job that requires that the employee have or use a firearm Use, clean or repair certain kinds of power-driven machines Handle, serve, or sell alcoholic beverages Work 30 or more feet off of the ground 		16 & 17	At night , from 10 p.m. to 6 a.m. (or past 10:15 if the employer stops serving customers at 10 p.m.) <i>Exception:</i> On non-school nights, may work until 11:30 p.m. or until midnight, if working at a restaurant or racetrack.	 More than 9 hours per day More than 48 hours per week More than 6 days per week 				
14 & 15	 Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NEICO broilers, or pressure cookers Operate, clean or repair power-driven food slicers, grinders, choppers, processors, cutters, and mixers Minors under 14 cannot work in Massachusetts in most cases. 	 Work in freezers or meat coolers Perform any baking activities Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces 	14 & 15						
These are minors, con	 Minors under 14 cannor work in Massachusens in most cases. just some examples of tasks prohibited under both state and fede tact the Attorney General's Fair Labor Division: (617) 727-3465 tment of Labor: (617) 624-6700 www.youth.dol.gov 	eral law. For a complete list of prohibited jobs for	hours a we Adult Sup located in	pervision Required After 8 p.m After 8 p.m., all minors i the workplace and is reasonably accessible. Exception: A at a kiosk or stand in a common area of an enclosed sho	must be directly supervised by an adult w dult supervision is not required for minors	ho is s			
	(?) Contact the Attorney	/ General's Fair Labor D	Divisio	n: (617) 727-3465 – www.m	ass.gov/ago/fairlabo	or			
Ref.: M.G.	L Chapter 151, Sec. 16					Rev. 06/202 [01/2023			

rage		SICK TIME
_	Beginning July 1, 2015, Massachusetts employees have the right to earn and take sick leave from work.	CAN AN EMPLOYER HAVE A DIFFERENT POLICY?
- 1	WHO QUALIFIES?	Yes. Employers may have their own sick leave or paid time off policy, so long as employees can use at least the same amount of time, for the same reasons, and with the same job-
_	All employees in Massachusetts can earn sick time.	protections as under the Earned Sick Time Law.
	This includes full-time, part-time, temporary, and seasonal employees.	RETALIATION
st	HOW IS IT EARNED?	O Employees using earned sick time cannot be fired or otherwise retaliated against for
	O Employees earn 1 hour of sick time for every 30 hours they work.	exercising or attempting to exercise rights under the law.
ided	 Employees can earn and use up to 40 hours per year if they work enough hours. Employees with unused earned sick time at the end of the year can rollover up to 40 hours. 	 Examples of retaliation include: denying use or delaying payment of earned sick time, firing an employee, taking away work hours, or giving the employee undesirable assignments.
ueu	C Employees begin earning sick time on their first day of work and may begin using earned	

exual Harassment at work does not have to be tolerated. It's Illegal.

If you are being sexually harassed, report it immediately to your supervisor or contact:

> Sexual Harassment Officer nal

> > showing

rape • assault

cule or hostility

or pictures

nt invitations or

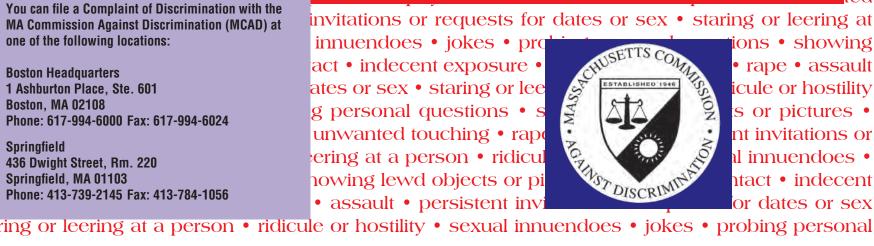
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Sex



or dates or sex • staring or leering at a person • ridicule or hostility • sexual innuendoes • jokes • probing personal

exposure • unwanted touching • rap

• staring or leering at a person • ridio

Phone: 617-994-6000 Fax: 617-994-6024

Phone: 413-739-2145 Fax: 413-784-1056

one of the following locations:

436 Dwight Street, Rm. 220

Springfield, MA 01103

Boston Headquarters 1 Ashburton Place, Ste. 601

Boston, MA 02108

Ref.: M.G.L Chapter 151B, Sec. 3A

Springfield

Employer's Addres Employees of this business or organization are covered by Unemployment Insurance (UI), a prog financed entirely by Massachusetts employers. No deductions are made from your salary to cov of your Unemployment Insurance benefits

Information about Employees' Unemployment Insurance C

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 employer will give you a copy of the pamphlet: How to Apply for Unemployment Insurance Benefi

Employer's DUA ID Numb



Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative) participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.

Contact OSHA. We can help.

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Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.



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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:



MASSACHUSETTS DEPARTMENT OF

WUNEMPLOYMENT ASSISTANCE

Employer's name

nline is a secure, easy-to-use, self-service system. You can apply for benefits, reopen an xisting 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, visit mass.gov/dua, and select UI Online for Claimants, and complete the required information to submit your application.

Apply by calling the TeleClaim Center

nemployment Insurance services are available by phone. You can apply for Unemployment Insurance 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 phone. To apply for benefits by phone, call the TeleClaim Center at 1 (877) 626-6800. 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 your claim.

Questo documento contiene informazioni importanti. La preghiamo di tradurlo inmediatamente.	ເອກະສານສະບັບນີ້ ບັນຈຸຂໍ້ມູນອັນສຳຄັນ. ກະລຸນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກ	此文件含有重要信息。 請立即找人翻譯。
Este documento contém informações		تحتوى هذه الوثيقة على معلومات هامة.
importantes. Por favor, traduzi-lo imediatamente.	ឯកសារនេះមាននូវព័ត៌មានដ៏សំខាន់ ។	يحتوي هذه الوليف على معلومات هامه. يرجى ترجمتها فورًا.
Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit.	សូមបកប្រែវាជាបន្ទាន់ ។	
본 문서에는 중요한 정보가 포함되어 있습니다.본 문서를 즉시 번역하도록 하십시오.	Ce document contient des information importantes. Veuillez le faire traduire au plus tôt.	S
	importanti. La preghiamo di tradurlo immediatamente. Este documento contém informações importantes. Por favor, traduzi-lo imediatamente. Docikman sa gen enfômasyon enpòtan. Tanpri fê yon moun tradwi l touswit. 본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록	importanti. La preghiamo di tradurlo immediatamente. Este documento contém informações importantes. Por favor, traduzi-lo imediatamente. Docikman sa gen enfomasyon enpòtan. Tanpri fé yon moun tradwi I touswit. E 문 사이는 중요한 정보가 포함되어 있습니다. 분 문사용 즉시 번역하도록

IMPORTANT: Massachusetts General Law, Chapter 151A, Section 62A requires that this notice be displayed at each site operated by an employer, in a conspicuous place, where it is accessible to all employees. It must include the name and mailing address of the employer, and 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. mass.gov/dua orm 2553-A Rev. 1/8/24

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

Available Leave

- Covered individuals may be entitled to family and medical leave for the following reasons
- up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from
- up to 12 weeks of paid family leave in a benefit year related to the birth, adoption, or foster care placement of a child, to care for a family member with a serious health condition, or because of a gualifying exigency arising out of the fact that a 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

a serious health condition Covered individuals are eligible for no more than 26 total weeks, in the aggregate, of paid family

Benefit

To fund PFML benefits, employers may deduct payroll contributions of up to 0.46% (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 \$ 1,149.90 (adjusted annually)

Who is a Covered Individual Under the Law?

and medical leave in a single benefit year.

Generally, a worker qualifies as a covered individual eligible for PFML benefits if they are: covered by unemployment insurance in Massachusetts and paid wages by a Massachusetts employer; or a self-employed individual who resides and works in Massachusetts and chooses to opt-in to the program; and has earned at least 30 times the expected benefit and at least \$6,300 (adjusted annually) in the last four completed guarters preceding the application for benefits.

Job Protection Health Insurance enerally, an employee who has taken paid family or medical leave Employers must provide for, contribute to, or otherwise maintain the nust be restored to the employee's previous position or to an equa employee's employment-related health insurance benefits, if any, at position, with the same status, pay, employment benefits, length-of the level and under the conditions coverage would have been ervice credit, and seniority as of the date of leave. provided if the employee had continued working continuously for the duration of such leave

These job protections do not apply to former employees, independen contractors, or self-employed individuals

Private Plans

n employer offers employees paid family leave, medical leave, or both, with	h benefits that are at least as generous as those
vided under the law, the employer may apply for an exemption from payin	ng the contributions. Employees continue to be
tected from discrimination and retaliation under the law even when an em	ployer opts to provide paid leave benefits through
vate plan.	
me of Private Insurer:	_ Private plan is for: \Box Medical \Box Family \Box Both

Address:	P
City, State & Zin Code:	1

No Retaliation or Discrimination

- It is unlawful for an employer to discriminate or retaliate against an employee for exercising any right to which s/he is entitled under the law.
- An employee or former employee who is discriminated or retaliated against for exercising rights under the law may, not more than three years after the violation occurs, institute a civil action in the superior co

sick time 90 days after starting work

WILL IT BE PAID?

If an employer has 11 or more employees, sick time must be paid.

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

WHEN CAN IT BE USED?

- 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
- The smallest amount of sick time an employee can take is one hour. Sick time cannot be used as an excuse to be late for work without advance notice of a proper
- Use of sick time for other purposes is not allowed and may result in an employee being
- disciplined. Ref.: M.G.L. c 149, § 148C (o



PURSUANT TO M.G.L. C. 151B, § 4(11A) AND C. 149, § 105D EVERY <u>EMPLOYEE</u> AND DOMESTIC WORKER IS ENTITLED AS A MATTER OF LAW TO AT LEAST EIGHT WEEKS PARENTAL LEAVE FOR THE PURPOSE OF GIVING BIRTH OR ADOPTION OF A CHILD

EMPLOYEES ARE ELIGIBLE IF THEY COMPLY WITH THE FOLLOWING CONDITIONS

- THE EMPLOYEE IS EMPLOYED ON A FULL-TIME BASIS;
- THE EMPLOYEE HAS COMPLETED AN INITIAL PROBATIONARY PERIOD SET BY THE EMPLOYER WHICH DOES NOT EXCEED THREE MONTHS OR, IN THE EVENT THE EMPLOYER DOES NOT UTILIZE A PROBATIONARY PERIOD FOR THE POSITION IN QUESTION, HAS BEEN EMPLOYED FULL TIME FOR AT LEAST THREE CONSECUTIVE MONTHS; AND,
- GIVES TWO WEEKS' NOTICE OF THE ANTICIPATED DEPARTURE DATE AND NOTICE THAT THEY INTEND TO RETURN TO THE JOB, OR PROVIDE NOTICE AS SOON AS IS PRACTICABLE IF THE DELAY IS FOR REASONS BEYOND THE INDIVIDUAL'S CONTROL.

DOMESTIC WORKERS MUST PROVIDE TWO WEEKS' NOTICE BUT ARE NOT REQUIRED TO BE FULL TIME OR COMPLETE AN INITIAL PROBATIONARY PERIOD.

BOTH EMPLOYEES AND DOMESTIC WORKERS ARE ENTITLED TO RETURN TO THE SAME OR A SIMILAR POSITION WITHOUT LOSS OF EMPLOYMENT BENEFITS FOR WHICH THEY WERE ELIGIBLE ON THE DATE THE LEAVE COMMENCED, II THEY TERMINATE PARENTAL LEAVE WITHIN EIGHT WEEKS. THE GUARANTEE OF A SAME OR SIMILAR POSITION IS SUBJECT TO CERTAIN EXCEPTIONS SPECIFIED IN M.G.L. C. 149, § 105D.

Employees must notify their employer before they use sick time, except in an emergency

If an employee is out of work for 3 consecutive days OR uses sick time within 2 weeks of

DO YOU HAVE QUESTIONS?

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

wealth of Massachusetts

Office of the Attorney General

English - July 2016

The Attorney General enforces the

This notice is intended to inform.

Full text of the law and regulations are available at

www.mass.gov/ago/earnedsi

o violate any provision of the Earned Sick Lime Law. on of the Earned Sick time law, M.G.L. c. 149, § 148C, or these constructions to paragraphs (1), (2), (4), (6) and (7) of

0 shall be subject to paragraphs (1), (ح), (ح) (b) of M.G.L. c. 149, §27C(b) and to § 150.

Earned Sick Time Law and regulations

leaving his or her job, an employer may require documentation from a medical provider

Employers may require employees to use a reasonable notification system the employer

<u>ACCRUED SICK LEAVE BENEFITS</u> SHALL BE PROVIDED FOR PARENTAL LEAVE PURPOSES UNDER THE SAME TERMS AND CONDITIONS WHICH APPLY TO OTHER TEMPORARY MEDICAL DISABILITIES ANY EMPLOYER POLICY OR COLLECTIVE BARGAINING AGREEMENT WHICH PROVIDES FOR GREATER OR ADDITIONAL BENEFITS THAN THOSE OUTLINED IN THIS NOTICE SHALL CONTINUE TO APPLY.

IF THE EMPLOYER PROVIDES PARENTAL LEAVE FOR LONGER THAN EIGHT WEEKS, THE EMPLOYER SHALL NOT DENY THE EMPLOYEE OR DOMESTIC WORKER THE RIGHT TO RETURN TO WORK UNLESS THE EMPLOYER CLEARLY INFORMS THE EMPLOYEE OR DOMESTIC WORKER, IN WRITING, PRIOR TO THE COMMENCEMENT OF LEAVE AND PRIOR TO ANY SUBSEQUENT EXTENSION OF LEAVE THAT TAKING LONGER THAN EIGHT WEEKS OF LEAVE SHALL RESULT IN THE DENIAL OF REINSTATEMENT OR THE LOSS OF OTHER RIGHTS AND BENEFITS.

🛞 Know Yo	ur	Rights: Wor	k	place Discrimina	ation is Illegal		
e U.S. Equal Employment Opportunity Commission (EEOC) enforces deral laws that protect you from discrimination in employment. If you ieve you've been discriminated against at work or in applying for a job, the OC may be able to help. no is Protected?	 Assignr Pay (un Failure childbirt observation 	requal wages or compensation) to provide reasonable accommodation for a disability; pregnancy, th, or related medical condition; or a sincerely-held religious belief, ance or practice		The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) entorces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, or are an employee of, a company with a Federal contract or subcontract, you are protected under Federal law from discrimination on the following bases:	Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP) U.S. Department of Labor		
mployees (current and former), including managers and temporary employees ob applicants Juion members and applicants for membership a union at Organizations are Covered?	Benefits Job training Classification Classification Obtaining or disclosing genetic information of employees Requesting or disclosing medical information of employees Conduct that might reasonably discourage someone from opposing			Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.	200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toil-free) If you are deal, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. <i>OFCO</i> P may also be contacted by submitting a question online to OFCCP's Help Desk at <u>https://ofcorhelpdesk.dol/</u> got/śź, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor and on OFCCP's		
State and local governments (as employers) Educational institutions (as employers) Inions staffing agencies	discrimi • Conduct exercisi exercise	intation, rilling a charge, or participating in an investigation or proceed Intat coerces, inimidates, threatens, or interferes with someone ing their rights, or someone assisting or encouraging someone else to e rights, regarding disability discrimination (including accommodation noy accommodation	to	Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.	Contact Us' webpage at https://www.dol.gov/agencies/ofccp/contact. PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE		
nat Types of Employment Discrimination are Illegal?	What ca	n You Do if You Believe Discrimination has Occurred?		Disability	Race, Color, National Origin, Sex		
der the EEOC's laws, an employer may not discriminate against you, regardless rour immigration status, on the bases of: Race Jolor Jeligion Jational origin	Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following ways:		Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment by Federal contractors. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee,	In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing			
vauoliai origin vex (including pregnancy, childbirth, and related medical conditions, sexual vireintation, or gender identity) (ge (40 and older) Sisability Sisability Sanetic information (including employer requests for, or purchase, use, or	Submit an inquiny timografia eccols public portail. fills://publicpratal.eccols.gov/Portail/Login.aspx Cali 1-800-669-4000 (toil free) 1-800-669-8620 (TTY) 1-844-234-512 (ASL video phone)			barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level. Protected Veteran Status	where employment usermination caubes of misp cause documination in provining services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.		
isclosure of genetic tests, genetic services, or family medical history) Retaliation for filing a charge, reasonably opposing discrimination, or participating in a discrimination lawsuit, investigation, or proceeding	Visit E-Mail	an EEOC field office (information at <u>www.eeoc.gov/field-office</u>))	The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently	Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives		



If you have questions or concerns about your PFML rights, call:		to damages of a	as much as three times his or her lost wages.	, · · · , · · · · · · ·	What Employment Practices can be Challenged as Discriminatory?	Additional information about the EEOC, including information about filing a charge of discrimination, is available at	outy), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.	accommodation, can perform the ess
	1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov	Paid Family& Medical Leave	(833) 344-7365 or visit: https://www.mass.gov/DFML				Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by Federal contractors under these Federal laws.	If you believe you have been discrimi which receives Federal financial assi Federal agency providing such assist



