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

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

Follow your employer's normal policies for requesting leave,

employer if FMLA leave was previously taken or approved for the

Your **employer** <u>may</u> request certification from a health care provider

**EMPLOYEE RIGHTS** 

**EMPLOYEE POLYGRAPH PROTECTION ACT** 

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for

pre-employment screening or during the course of employment.

**ENFORCEMENT** 

to verify medical leave and may request certification of a qualifying

The FMLA does not affect any federal or state law prohibiting

discrimination or supersede any state or local law or collective

same reason when requesting additional leave.

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.

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with job-protected leave for qualifying 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 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

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

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

Ref.: 29 CFR §825.300

**PROHIBITIONS** 

**EXEMPTIONS** 

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You have worked for your employer at least 12 months,

Your employer has at least 50 employees within 75 miles of your

bargaining agreement that provides greater family or medical leave State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions

Employers are generally prohibited from requiring or requesting any

employee or job applicant to take a lie detector test, and from discharging,

disciplining, or discriminating against an employee or prospective employee

Federal, State and local governments are not affected by the law. Also, the

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

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

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

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

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

exual

Harassment

at work

does not

law does not apply to tests given by the Federal Government to certain

for refusing to take a test or for exercising other rights under the Act.

private individuals engaged in national security-related activities.

pharmaceutical manufacturers, distributors and dispensers.

### If you are eligible for FMLA leave, your employer must: You work for a covered employer if one of the following applies:

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

· Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with

the same pay, benefits and other working conditions, including shift and location, at the end of your leave Your employer cannot interfere with your FMLA rights or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave

or cooperating with a WHD investigation After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your employer must confirm whether you are eligible or not eligible for FMLA leave. If your employer determines that you are eligible, your employer must notify you in

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

### Where can I find more information?

Call 1-866-487-9243 or visit dol.gov/fmla to learn more. 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





WH1420 REV 04/23

FAIR EMPLOYMENT IN MASSACHUSETTS Applicants to and employees of private employers with 6 or more employees\*, state and local governments

ender identity, sexual orientation, genetic information,

ncestry, and military service. Religious discrimination

onduct have the purpose or effect of unreasonably

ased on the protected classes set forth above.

'he Pregnant Workers Fairness Act prohibits employment

hiring, promotion, discharge, compensation, benefits,

liscrimination in hiring, promotion, discharge, compensation, benefits, training, classification and other accommodate an otherwise qualified person with a

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 fron training, classification and other aspects of employment Disability discrimination may include failing to reasonably aspects of employment on the basis of race, color, religion, lisability, national origin (including unlawful languag proficiency requirements), age (if you are 40 years old or RETALIATION older), sex, pregnancy or a condition related to pregnancy, It is illegal to retaliate against any person because s/he has

includes failing to reasonably accommodate an employee's before the Commission. It is also illegal to aid, abet, incite religious practices where the accommodation does not compel or coerce any act forbidden under M.G.L. c. 151B. or impose an undue hardship. DOMESTIC WORKERS exual harassment includes sexual advances, requests for M.G.L. c. 151B prohibits discrimination and harassment 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

against certain domestic workers where the employer has ne (1) or more employee.\* While some exclusions apply domestic workers generally include individuals paid to implicitly a term or condition of employment or as a basis perform work of a domestic nature within a household on a for employment decisions: (b) such advances, requests or regular basis, such as housekeeping, housecleaning, nanny ervices, and/or caretaking. Employers are prohibited nterfering with a person's work performance by creating from engaging in sexual harassment and harassment and/ an intimidating, hostile, humiliating or sexually offensive or discrimination based on the protected classes described work environment. The law also prohibits harassment above, i.e. race, color, etc. Domestic workers are also entitled to parental leave.

The law prohibits employers from asking applicants on an

with your employer to arbitrate your discrimination

laim(s) does not bar you from filing a charge of

opposed any discriminatory practices or because s/he has

filed a complaint, testified, or assisted in any proceeding

discrimination on the basis of pregnancy and pregnancyinitial employment application for any criminal background related conditions, such as lactation or the need to express information unless an exemption by statute or regulation breast milk for a nursing child, and describes employers' bligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. MENTAL HEALTH FACILITY ADMISSION INQUIRIES imployers may not refuse to hire or terminate an employee or failing to furnish information regarding his/her ployers to grant an employee who has admission to a facility for the care and treatment of completed an initial probationary period and has given two

mentally ill persons. An employment application may not (2) weeks' notice of the anticipated date of departure and seek information about an applicant's admission to such a e 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 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 M.G.L. c. 151B prohibits discrimination the basis of www.mcad.gov, at one of the offices below. An agreement disability, a record of disability or perceived disability, in

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/

Ref.: M.G.L Chapter 151B. Sec. 7

# Massachusetts Wage & Hour Laws

**EMPLOYEE RIGHTS** 

UNDER THE FAIR LABOR STANDARDS ACT

The minimum wage is \$15.00

CHILD LABOR

**A** Fair Labor Hotline







Massachusetts Attorney General

Andrea Joy Campbell

Minimum Wage

Beginning January 1, 2023, the minimum wage in Massachusetts is \$15/hour. In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all employees, except

**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 mawork outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit

of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an

based on tips received by their employees, Employers must pay tipped employees a cash wage

employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equa

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

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

from view and free from intrusion from coworkers and the public, which may be used by the

certain work hours restrictions. Different rules apply in agricultural employment.

PUMP AT WORK The FLSA requires employers to provide reasonable break time for a nursing employee to express

**ENFORCEMENT** The Department has authority to recover back wages and an equal amount in liquidated damages

the minimum hourly wage, the employer must make up the difference

• 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

 outside salespeople. M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 2 Beginning January 1, 2023, the service rate in Massachusetts is \$6.75/hour. 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.

Overtime 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  $1.5 \times 10^{-2}$  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.

Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/ago/fairlabor or call the Attorney General's Fair Labor Division at (617) 727-3465. **Payment of Wages** 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.

ourly 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, lepending 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. Paystub Information

All employees must get a statement, at no cost, with their pay that says the name of the employer and employee, the date of payment (month, day, and year), the number of hours worked during the pay period, the hourly rate, and all deductions or increases made

**Pay Deductions** M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.0 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 or 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** 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.G.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

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

The laws explained in this poster apply to all workers, regardless of immigration status, including undocumented workers. If an employer reports or threatens to report a worker to immigration authorities because the worker complained about a violation of

ssachusetts 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.

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.

Must not work

16 & 17 Drive most motor vehicles or forklifts Handle, serve, or sell alcoholic beverage • Work 30 or more feet off of the ground Work at a job that requires that the employee have or use • Use, clean or repair certain kinds of power-driven machines Cook (except on electric or gas grills that do not have open Work in freezers or meat coolers

flames), operate fryolators, rotisseries, NEICO broilers, or Perform any baking activities · Work in or near factories, construction sites, • Operate, clean or repair power-driven food slicers, manufacturing plants, mechanized workplaces, grinders, choppers, processors, cutters, and mixers garages, tunnels, or other risky workplaces Under 14 • Minors under 14 cannot work in Massachusetts in most case:

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.mass.gov/ago/youthemployment. Or contact th U.S. Department of Labor: (617) 624-6700 • www.youth.dol.gov

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. More than 6 days per week or until midnight, if working at a restaurant or racetrack

14 & 15 At **night**, from 7 p.m. to 7 a.m. Exception: In summer (July During the School Year: · More than 3 hours on any school day • More than 18 hours during any week

Who Qualifies?

can earn sick time.

This includes full-time, part-time

emporary, and seasonal employees.

How is it Earned?

Employees earn 1 hour of sick time for every

Employees can earn and use up to 40 hours

Employees with unused earned sick time at

the end of the year can rollover up to 40

Job Protection

take work hours away from an employee

for calling out, or fire an employee to

asserting sick leave rights.

Commonwealth of Massachusett

Office of the Attorney General

English - December 2024

lef.: M.G.L. c 149, § 148C (o)

An employee cannot be disciplined,

penalized, or retaliated against for

exercising their rights under the law.

located in the workplace and is reasonably accessible. Exception: Adult supervision is not required for minors

**EARNED SICK TIME** 

Notice of Employee Rights

working at a kiosk or stand in a common area of an enclosed shopping mall that has security from 8 p.m. until the

MASSACHUSETTS DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

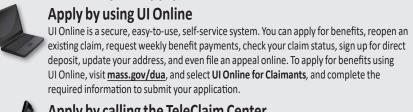
Information about Employees' Unemployment Insurance Coverage

ent

financed entirely by Massachusetts employers. No deductions are made from your salary to cover the cost

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 to Apply for Unemployment Insurance Benefits, provided 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 calling the TeleClaim Center Unemployment 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 nhone To apply for henefits 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

보 무서에는 중요하 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록

be connected to an agent who will take the information necessary to file your claim. ກະລນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກ ឯកសារនេះមាននូវព័ត៌មានដ៏សំខាន់ ។

mass.gov/dua



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

preceding the application for benefits

City, State & Zip Code:

Job Protection

Senerally, an employee who has taken paid family or medical leave

• 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 qualifying 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

Covered individuals are eligible for no more than 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year. 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,

Who is a Covered Individual Under the Law? 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

employee's employment-related health insurance benefits, if any, at must be restored to the employee's previous position or to an equal the level and under the conditions coverage would have been service credit, and seniority as of the date of leave. provided if the employee had continued working continuously for These job protections do not apply to former employees, independent

provided under the law, the employer may apply for an exemption from paying the contributions. Employees continue to be protected from discrimination and retaliation under the law even when an employer opts to provide paid leave benefits through a

• It is unlawful for an employer to discriminate or retaliate against an employee for exercising any right to which s/he 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 court, and may be entitled to damages of as much as three times his or her lost wages

Revised 10/2024

Massachusetts veterans in need.

## MASSACHUSETTS VETERAN SERVICES

U.S. DEPARTMENT OF VETERANS AFFAIRS (VA)

The VA is the gateway to federal benefits available to

veterans, including healthcare, disability compensation.

MASSACHUSETTS VETERANS BENEFITS ADVISOR

Provides a comprehensive list of veterans' benefits.

including tax advantages, RMV benefits, and more.

education, training, and more

for, or purchase, use, or disclosure of genet tests, genetic services, or family medical etaliation for filing a charge, reasonably What Employment Practices can be Discharge, firing, or lay-off

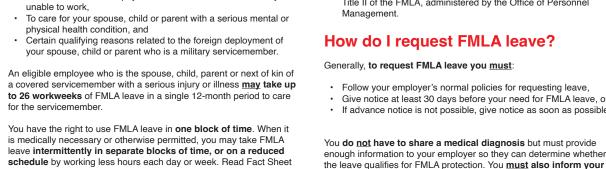
Asking About, Disclosing, or Discussing Pay

Executive Order 11246, as amended, protects

vil Rights Act of 1964, as amended, prohibi rvices under such programs. Title IX of the

**TO REORDER CALL: 1-800-817-7678** 





schedule by working less hours each day or week. Read Fact Sheet

Am I eligible to take FMLA leave?

You work for a covered employer, You have at least 1,250 hours of service for your employer during the 12 months before your leave, and

Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress

WAGE AND HOUR DIVISION

Where polygraph tests are permitted, they are subject to numerous strict

standards concerning the conduct and length of the test. Examinees have

a number of specific rights, including the right to a written notice before

testing, the right to refuse or discontinue a test, and the right not to have test

The Secretary of Labor may bring court actions to restrain violations and

assess civil penalties against violators. Employees or job applicants may

results disclosed to unauthorized persons.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER

WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.

also bring their own court actions.

personal questions • showing lewd objects or pictures •

wanted touching • rape • assault • persistent invitations or

ng at a person • ridicule or hostility • sexual innuendoes •

ving lewd objects or pictures • physical contact • indecent

ssault • persistent invitations or requests for dates or sex

r hostility • sexual innuendoes • jokes • probing personal

rures • physical contact • indecent exposure • unwanted

tations or requests for dates or sex • staring or leering at

uendoes • jokes • probing personal questions • showing

• indecent exposure • unwanted touching • rape • assault

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

ersonal questions • showing lewd objects or pictures •

wanted touching • rape • assault • persistent invitations or



THE COMMONWEALTH OF MASSACHUSETTS **DEPARTMENT OF INDUSTRIAL ACCIDENTS** IF YOU ARE INJURED ON THE JOB: Immediately notify your employer that you have been injured. Employer HR/Workers' Compensation Contact

 Tell the medical provider that you have been injured at work and give the information below: Insurance Carrier

NOTICE TO EMPLOYEES

If the employer fails to report the injury to the insurer, the employee may file an Employee's

Additional information regarding your rights and eligibility for benefits pursuant the Workers' Compensation law may be obtained by contacting the Department of Industrial Accidents at IF MEDICAL TREATMENT IS NEEDED: Injured workers may select their own medical provider. Medical treatment costs that are

reasonable, necessary, and related to the work injury will be paid by the above-named

If medical facility information is provided below, the above-named insurer has a preferred provider arrangement and the insurer has arranged for your initial treatment at: Medical Facility:





FEDERAL LABOR LAW

### ng at a person • ridicule or hostility • sexual innuendoes • have to be ving lewd objects or pictures • physical contact • indecent ssault • persistent invitations or requests for dates or sex or hostility • sexual innuendoes • jokes • probing personal tolerated. ures • physical contact • indecent exposure • unwanted or sex • staring or leering at a person • ridicule or hostility personal questions • showing lewd objects or pictures • It's Illegal. If you are being sexually harassed, report it

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

reques immediately to your supervisor or contact: iokes exposure • unwanted touching • rap staring or leering at a person

You can file a Complaint of Discrimination with the MA Commission Against Discrimination (MCAD) at one of the following locations:

1 Ashburton Place, Ste. 601 Boston, MA 02108 Phone: 617-994-6000 Fax: 617-994-6024

436 Dwight Street, Rm. 220 Springfield, MA 01103

**Boston Headquarters** 

invitations or requests for dates or sex • staring or leering at innuendoes • jokes • pro act • indecent exposure • ates or sex • staring or lee g personal questions • unwanted touching • rap ering at a person • ridicul nowing lewd objects or pi

• assault • persistent inv

Phone: 413-739-2145 Fax: 413-784-1056 • staring or leering at a person • ridicule or hostility • sexual innuendoes • jokes • probing personal Ref.: M.G.L Chapter 151B, Sec. 3A

- 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.
- job hazards, including all hazardous substances in your workplace. Request a confidential OSHA inspection of your workplace if you believe there are

Receive information and training on

the right to have a representative contact OSHA on your behalf. Participate (or have your representative) participate) in an OSHA inspection and

unsafe or unhealthy conditions. You have

- 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
- See any OSHA citations issued to your employer. Request copies of your medical records, tests that measure hazards

using your rights.

injury and illness log.

This poster is available free from OSHA.

in the workplace, and the workplace



### **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.

Job Safety and Health

IT'S THE LAW!

amputation, or loss of an eye. Provide required training to all workers in a language and vocabulary they can

workplace fatality or within 24 hours of

any work-related inpatient hospitalization,

understand. Prominently display this poster in the workplace.

Notify OSHA within 8 hours of a

 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.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

Employer's DUA ID Number Employees of this business or organization are covered by Unemployment Insurance (UI), a program

សូមបកប្រែវាជាបន្ទាន់ ។

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.

for a maximum weekly benefit of up to \$1,170.64 (adjusted annually). • has earned at least 30 times the expected benefit and at least \$6,300 (adjusted annually) in the last four completed guarter

Health Insurance

Employers must provide for, contribute to, or otherwise maintain the

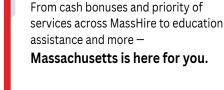
If an employer offers employees paid family leave, medical leave, or both, with benefits that are at least as generous as those

If you have guestions or concerns about your PFML rights, call:

**UNLOCK EXCLUSIVE VETERAN BENEFITS** IN MASSACHUSETTS

EXECUTIVE OFFICE of VETERANS SERVICES

M.G.L. C. 149, § 105D.



**VETERANS SERVICES (EOVS)** Offers information on benefits, financial assistance, and peer support available in Massachusetts. Visit https://www.mass.gov/vets MASSHIRE VETERANS PROGRAMS AND SERVICES VETERANS MENTAL HEALTH CRISIS LINE

Centers and connects them with employers

Offers priority access to employment and training services for veterans and their families at all MassHire Career

Visit https://www.mass.gov/veterans-job-programs-and-

MASSACHUSETTS EXECUTIVE OFFICE OF

**VETERANS EMPLOYMENT EDUCATION AND** TRAINING (VEET) Provides employment training and resources for Massachusetts veterans. Visit <a href="https://www.mass.gov/vets">https://www.mass.gov/vets</a> LEGAL RESOURCES

600 Washington Street, Boston, MA, 02111

**UNEMPLOYMENT RESOURCES** EOVS offers a comprehensive list of legal resources for Visit the Department of Unemployment Assistance website for a list of resources.

Call 988 and press 1, text 838255, or visit

https://www.veteranscrisisline.net/

benefits-as-a-recently-separated-service-member 617-210-5480

Who is Protected? What Types of Employment

belief, observance or practice

Discrimination has Occurred?



FEDERAL MINIMUM WAGE

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

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 Certain full-time students, student learners, apprentices, and workers with disabilities may be

Certain occupations and establishments are exempt from the minimum wage, and/or overtime

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern

pay provisions. Certain narrow exemptions also apply to the pump at work requirements.

days after starting work.

Religion, national origin, or ancestry

Rights of Domestic Workers

or similar services in a household, go to www.mass.gov/ago/DW

children; and legal help protective orders and going to court

Sex (including pregnancy)

Military service

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) Sick Leave M.G.L. Chapter 149, Section 148C M.G.L. Chapter 151, Sections 1, 2, 2A, and 7 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 hours 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

> 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 a doctor's note. Paid Sick Leave Employers with 11 or more employees must provide paid sick leave. Employers with fewer than 11 employees must provide sick leave: however, it does not need to be paid.

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

• worked at least 1,250 hours for the employer during the previous 12-month period.

been employed for at least 12 months by the employer and

M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151B, Section 4 Employers Must Not Discriminate 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 gende They must not discriminate in hiring, pay or other compensation, or other terms of employment based on a person's: • Sexual orientation or gender identity or expression Race or color

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.

**Small Necessities Leave** 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, child's doctor or dentist appointment, or elderly relative's doctor or dentist appointments, or other appointments

· Genetic information or disability

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 Rights of Temporary Workers M.G.L. Chapter 149, Section 1590 To learn about rights of temporary workers and employees hired through staffing agencies, call: 617-626-6970 or go to:

**Public Works and Public Construction Workers** 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. **Domestic Violence Leave** M.G.L. Chapter 149, Section 52E imployees who are victims, or whose family members are victims, of domestic violence, sexual assault, stalking or kidnapping have the

The leave can be paid or unpaid depending on the employer's policy. This law applies to employers with 50 or more employees

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

Employees Have the Right to Sue M.G.L. Chapter 149, Section 150; M.G.L. Chapter 151, Sections 1B and 20 ovees have the right to sue their employer for most violations of wage and hour laws mployees 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 Employers Must Not Retaliate M.G.L. Chapter 149, Section 148A; M.G.L. Chapter 151, Section 19 It is against the law for an employer to punish or discriminate against an employee for making a complaint or trying to enforce the

**Time & Schedule Restrictions for Minors** 

At any time:

• More than **9 hours** per day

When school is not in session

Will it be Paid?

• If an employer has 11 or more employees,

employees, sick time may be unpaid.

Paid sick time must be paid on the same

schedule and at the same rate as regular

When Can it be Used?

An employee can use sick time when the

routine medical appointment. It can be

used to address the effects of domestic

violence on the employee or their child. Ar

Employees may be required to use at least

one hour of sick time when absent for part of

doctor's note unless the employee is absent

more than 3 days in a row or uses sick time

during their last two weeks of employment

employee can use sick time after pregnancy

employee or the employee's child, spouse,

sick time must be paid.

• For employers with fewer than 11

More than 48 hours per week

 More than 8 hours on any day More than 40 hours per week More than 6 days per week \*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

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

## **Massachusetts Commission Against Discrimination** NOTICE: PARENTAL LEAVE IN MASSACHUSETTS

**Issued: May 17, 2023** PURSUANT TO M.G.L. C. 151B, § 4(11A) AND C. 149, § 105D EVERY EMPLOYEE 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

EMPLOYEES ARE ELIGIBLE IF THEY COMPLY WITH THE FOLLOWING CONDITIONS:

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,

THE EMPLOYEE IS EMPLOYED ON A FULL-TIME BASIS

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, IF THEY

TERMINATE PARENTAL LEAVE WITHIN EIGHT WEEKS. THE GUARANTEE OF A

SAME OR SIMILAR POSITION IS SUBJECT TO CERTAIN EXCEPTIONS SPECIFIED IN

ACCRUED SICK LEAVE BENEFITS SHALL BE PROVIDED FOR PARENTAL LEAVE

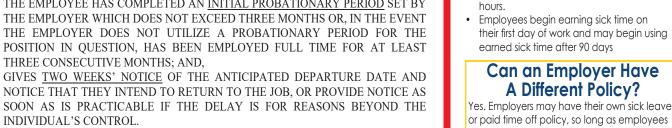
PURPOSES UNDER THE SAME TERMS AND CONDITIONS WHICH APPLY TO OTHER

OF LEAVE AND PRIOR TO ANY SUBSEQUENT EXTENSION OF LEAVE THAT TAKING

LONGER THAN EIGHT WEEKS OF LEAVE SHALL RESULT IN THE DENIAL OF

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, RIGHT TO RETURN TO WORK UNLESS THE EMPLOYER CLEARLY INFORMS THE EMPLOYEE OR DOMESTIC WORKER. IN WRITING, PRIOR TO THE COMMENCEMENT

REINSTATEMENT OR THE LOSS OF OTHER RIGHTS AND BENEFITS.



Can an Employer Have A Different Policy? 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 protections as under the Earned Sick Time Law

30 hours they work

Using sick time for other purposes is not allowed and may result in an employee being disciplined. Notice and Verification they use sick time, except in a emergency. Employers may decide how the employees For example, employers may not assign notify the employer of an absence. An employer generally may not require a disciplinary points to covered absences,

adoption, or surrogacy

Do You Have Questions? **Call** the Fair Labor Division at 617-727-3465 Visit www.mass.gov/ago/earnedsicktime The Attorney General enforces the Earned Sick Time Law and regulations It is unlawful to violate any provision of the Earned Sick Time Law. Violations of any provision of the Earned Sick time law, M.G.L. c. 149, § 1480 these regulations, 940 CMR 33.00 shall be subject to paragraphs (1), (2), (4 (6) and (7) of subsection (b) of M.G.L. c. 149, §27C and to §150. This notice is intended to inform.

Full text of the law and regulations are available at

www.mass.gov/ago/earnedsicktime

Know Your Rights:
Workplace Discrimination is Illegal

E-Mail info@eeoc.gov **EMPLOYERS HOLDING FEDERAL** 

Orientation, Gender Identity, National Origin PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL Executive Order 11246, as amended, prohibits

disclosing, or discussing their compensation or the compensation of other applicants or employees.



