FEDERAL WAGE AND LABOR LAW INSTITUTE

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

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

PARENTAL LEAVE
The law requires employers to grant an employee who has completed an initial probationary period and has given two (2) weeks' notice of the anticipated date of departure and the employee's intention to return, at least eight (8) weeks of paid or unpaid leave for the purpose of childbirth, adoption of a child under 18, or adoption of a child under 23 years old if the child has a mental or physical disability.

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

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.

DOMESTIC WORKERS
M.G.L. c. 151B prohibits discrimination and harassment against certain domestic workers where the employer has one (1) or more employee.* While some exclusions apply, domestic workers generally include individuals paid to perform work of a domestic nature within a household on a regular basis, such as housekeeping, housecleaning, 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 exists.

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

IF YOU HAVE BEEN DISCRIMINATED AGAINST
If you feel you have been harassed or discriminated against, you should immediately file a charge of discrimination with the **Massachusetts Commission Against Discrimination**, www.mcad.gov, at one of the offices below.

An agreement with your employer to arbitrate your discrimination claim(s) does not bar you from filing a charge of discrimination.

Boston Office: 1 Ashburton Pl., Suite 601, Boston, MA 02108 – P: 617-994-6000 F: 617-994-6024
New Bedford Office: 800 Purchase St., Room 501, New Bedford, MA 02740 – P: 508-990-2390 F: 508-990-4260
Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 – P: 413-739-2145 F: 413-784-1056
Worcester Office: 484 Main St., Room 320, Worcester, MA 01608 – P: 508-453-9630 F: 508-755-3861
For more information, please see our website: www.mass.gov/mcad/

Rev 4/7/2015

Massachusetts Wage & Hour Laws

The minimum wage is **$11.00**

Fair Labor Hotline
(617) 727-3465
TTY (617) 727-4765
Call: 10 a.m. - 4 p.m. (M-F)

www.mass.gov/ago/fairlabor
www.massworkrights.com

Minimum Wage — M.G.L. Chapter 151, Sections 1, 2, 2A, and 7
The minimum wage is $11.00.
In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all employees, except:
• 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.

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

Tips — M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7
The hourly "service rate" applies to workers who provide services to customers and who make more than $20 a month in tips. The service rate is **$3.75** per hour. The average hourly tips, plus the hourly service rate paid to the worker must add up to $11.00 (or more).
Managers, supervisors and owners must never take any part of their employees' tips.
Tips and service charges listed on a bill must be given only to wait staff, service bartenders, or other service employees according to the services provided by each employee.
Tip pooling is allowed only for wait staff, service bartenders, and other service employees.

Paystub Information — M.G.L. Chapter 149, Section 148
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 during the pay period.

Pay Deductions — M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.05
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 his/her own benefit (such as to put money aside in the employee's savings account). 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 to the employee.
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 employer gives to the employee.

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.

Meal Breaks — 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, s/he must get paid for that time.

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

Workplace Notice: 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. 27.01(1)

Sick Leave — M.G.L. Chapter 149, Section 148C
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 days after starting work.
Eligible employees may use their sick leave if they, their child, spouse, parent, or spouse's parent is: sick, injured, or has a routine medical appointment. They may also use sick leave for themselves or their child to address the effects of domestic violence.
Unless it is an emergency, employees must notify the employer before using sick leave.
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. Learn more about sick leave at: www.mass.gov/ago/earned-sicktime.

Employers Must Not Discriminate — M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151B, Section 4
Subject to certain limited exceptions, employers must not pay one employee less for doing the same or comparable work as another employee of the opposite sex.
They must not discriminate in hiring, pay or other compensation, or other terms of employment based on a person's:
• Race or color
• Religion, national origin, or ancestry
• Sex (including pregnancy)
• Sexual orientation or gender identity or expression
• Genetic information or disability
• Age
• Military service

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.
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.

Reporting Pay — 454 C.M.R. 27.04
Most employees must be paid for 3 hours at no less than minimum wage if s/he 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 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/.

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.

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.

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.

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 children; and legal help, protective orders, and going to court. The leave can be paid or unpaid depending on the employer's policy. This law applies to employers with 50 or more employees.

Employees Have the Right to Sue
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.

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 rights explained in this poster.
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 rights, the employer can be prosecuted and/or subject to civil penalties.

Employees Under 18 – Child Labor — M.G.L. Chapter 149, Sections 56 –105
All employers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say *when, where,* and *how long* minors may work. They also say what kinds of work or tasks minors must NOT do.
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 s/he 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.*

Dangerous Jobs & Tasks Minors Must Not Do

Age	Must Not	
16 & 17	• Drive most motor vehicles or forklifts • Work at a job that requires that s/he 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
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	• 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
Under 14	• Minors under 14 cannot work in Massachusetts in most cases.	

These are just some examples of tasks prohibited under both state and federal law. **For a complete list** of prohibited jobs for minors, contact the Attorney General's Fair Labor Division: (617) 727-3465 • *www.mass.gov/ago/youthemployment*. Or contact the U.S. Department of Labor: (617) 624-6700 • *www.youth.dol.gov*

Time & Schedule Restrictions for Minors

Age	Must not work	At any time:
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.) *Exception:* 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	At **night**, from 7 p.m. to 7 a.m. *Exception:* In summer (July 1 – Labor Day), may work until 9 p.m. **During the School Year:*** • During school hours • More than **3 hours** on any school day • More than **18 hours** during any week • More than **8 hours** on any weekend or holiday	**When school is not in session:** • 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 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 Division: (617) 727-3465 – www.mass.gov/ago/fairlabor

Rev. 01/2017

STATE OF MASSACHUSETTS

Massachusetts Commission Against Discrimination
PARENTAL LEAVE

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

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

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

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

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

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

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

Boston: One Ashburton Place, Room 601, Boston, MA 02108; 617-994-6000
Springfield: 436 Dwight Street, Room 220, Springfield, MA 01103; 413-739-2145
Worcester: 484 Main Street, Room 320, Worcester, MA 01608; 508-453-9630
New Bedford: 800 Purchase, Room 501, New Bedford, MA 02740; 508-990-2390
Visit our website for more resources and instructions on filing a complaint: www.mass.gov/mcad

Formatted by HH 3/10/15

Information about this employers specific Parental Leave policies should be posted alongside this poster

Sexual 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:

You can file a complaint with the Massachusetts Commission Against Discrimination (MCAD). Visit or contact the MCAD at one of the following locations:

One Ashburton Place
Room 601
Boston, MA 02108
617/ 727-3990
617/ 720-6054 TTY

436 Dwight Street
Room 220
Springfield, MA 01103
413/ 739-2145

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

NOTICE TO EMPLOYEES

NOTICE TO EMPLOYEES

The Commonwealth of Massachusetts
DEPARTMENT OF INDUSTRIAL ACCIDENTS
1 Congress Street, Suite 100, Boston, Massachusetts 02114-2017
617-727-4900 - http://www.state.ma.us/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

ADDRESS OF INSURANCE COMPANY

POLICY NUMBER — EFFECTIVE DATES

NAME OF INSURANCE AGENT — ADDRESS — PHONE #

EMPLOYER — ADDRESS

EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY) — DATE

MEDICAL TREATMENT

The above named insurer is required in cases of personal injuries arising out of and in the course of employment to furnish adequate and reasonable hospital and medical services in accordance with the provisions of the Workers' Compensation Act. A copy of the First Report of Injury must be given to the injured employee. The employee may select his or her own physician. The reasonable cost of the services provided by the treating physician will be paid by the insurer, if the treatment is necessary and reasonably connected to the work related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the

NAME OF HOSPITAL — ADDRESS

TO BE POSTED BY EMPLOYER

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

Information on Employees' Unemployment Insurance Coverage

Employer name — Employer DUA ID#

Address

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts employers. No deductions are made from your salary to cover the cost of your Unemployment Insurance benefits.

If you lose your job, you may be entitled to collect Unemployment Insurance. Outlined below is the information you need in order to apply for Unemployment Insurance (UI) benefits. Before you file, your employer will give you a copy of the pamphlet: *How to Apply for Unemployment Insurance Benefits*, provided by the Massachusetts Department of Unemployment Assistance (DUA).

You must be in the United States, its territories, or Canada when filing a claim or certifying for weekly UI benefits.

There are two ways to apply for UI Benefits:

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

Apply by calling the TeleClaim Center
Unemployment Insurance services are available by telephone. 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 telephone. To apply for benefits by telephone, call the TeleClaim Center at 1-877-626-6800 from area codes 351, 413, 508, 774, and 978; or 1-617-626-6800 from any other area code. You will be asked to enter your Social Security Number and the year you were born. You will then be connected to an agent who will take the information necessary to file your claim.

Note: During peak periods from Monday through Thursday, call scheduling may be implemented, providing priority for callers based on the last digit of their Social Security Number. This helps ensure that you and others can get through to the Tele-Claim Center in a timely manner. Please check the schedule on the right before calling.

If the last digit of your Social Security number is:	Assigned day to call Teleclaim is:
0, 1	Monday
2, 3	Tuesday
4, 5, 6	Wednesday
7, 8, 9	Thursday
Any last digit	Friday

This document contains important information. Please have it translated immediately.
В данном документе содержится важная информация. Вам необходимо срочно сделать перевод документа.
Este documento contiene información importante. Por favor, consiga una traducción
Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.
يرجى ترجمتها فورًا.
Questo documento contiene informazioni importanti. La preghiamo di tradurlo inmediatamente.
Este documento contém informações importantes. Por favor, traduzi-lo imediatamente.
Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit.
본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.
ເອກະສານສະບັບນີ້ ບັນຈຸຂໍ້ມູນອັນສຳຄັນ. ກະລຸນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກຢ່າງບໍ່ລໍຊ້າ.
ឯកសារនេះមានព័ត៌មានសំខាន់ ។ សូមបកប្រែវាជាបន្ទាន់ ។
Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt.
此文件含有重要信息。請立即找人翻譯。
تحتوي هذه الوثيقة على معلومات هامة. يرجى ترجمتها فورًا.

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.

Form 2553-A Rev. 10-6-15 — www.mass.gov/dua

EARNED SICK TIME
Notice of Employee Rights

Beginning July 1, 2015, Massachusetts employees have the right to earn and take sick leave from work.

WHO QUALIFIES?
All employees in Massachusetts can earn sick time.
This includes full-time, part-time, temporary, and seasonal employees.

HOW IS IT EARNED?
- Employees earn 1 hour of sick time for every 30 hours they work.
- 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.**
- Employees **begin earning** sick time on their first day of work and **may begin using** earned 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 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.
- Use of sick time for other purposes is not allowed and may result in an employee being disciplined.

CAN AN EMPLOYER HAVE A DIFFERENT POLICY?
Yes. An employer can 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-protections as under the Earned Sick Time Law.

RETALIATION
- Employees using earned sick time cannnot be fired or otherwise retaliated against for exercising or attempting to exercise rights under the law.
- 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.

NOTICE & VERIFICATION
- Employees must **notify** their employer before they use sick time, except in a emergency.
- Employers may require employees to **use a reasonable notification system** the employer creates
- If an employee is out of work for 3 consecutive days **OR** uses sick time within 2 weeks of leaving their job, an employer may require documentation from a medical provider.

DO YOU HAVE QUESTIONS?
Call the Fair Labor Division at 617-727-3465 ○ E-Mail us at EarnedSickTime@state.ma.us
Visit www.mass.gov/ago/earnedsicktime

Commonwealth of Massachusetts
Office of the Attorney General

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, § 148C, or 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(b) and to § 150.
This notice is intended to inform.
Full text of the law and regulations are available at www.mass.gov/ago/earnedsicktime.

MAAIOE V. 7.0

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