**Since 1953** 

### **FEDERAL MINIMUM WAGE** \$7.25 PER HOUR

## **BEGINNING JULY 24, 2009**

### employees can readily see it. **OVERTIME PAY**

The law requires employers to display this poster where

### 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 may work outside school hours in various non-manufacturing, non-

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

mining, non-hazardous jobs with certain work hours restrictions. Different rules apply

### wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

### **NURSING MOTHERS**

in agricultural employment.

The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA's overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from

DEPARTMENT OF LABOR UNITED STATES OF AMERICA



WAGE AND HOUR DIVISION

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd



REV. 07/2016

# MA

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

## M.G.L. Chapter 151, Section 16: 454 C.M.R. 27.07(1)

Minimum Wage	M.G.L. Chapter 151, Sections 1		
In Massachusetts, all workers are presumed to be employees. The	Effective Date	Minimum Wage	
minimum wage applies to <b>all</b> employees, except:	January 1, 2017	\$11.00	
iltl /ċ0 00			

<ul> <li>agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers),</li> <li>members of a religious order,</li> <li>workers being trained in certain educational, nonprofit, or religious organizations, and</li> <li>outside salespeople.</li> </ul>	January 1, 2019	\$12.00
	January 1, 2020	\$12.75
	January 1, 2021	\$13.50
	January 1, 2022	\$14.25
	January 1, 2023	\$15.00
<b>Fips</b> M.G.L. Chapte The hourly "service rate" applies to wornake more than \$20 a month in tips.	er 149, Section 152A; kers who provide servi	
he average hourly time plue the hourly	, comico voto noid to th	

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.

Tip pooling is allowed only for wait staff, service bartenders, and other service employees. Generally, employees who work more than 40 hours in any week must be paid overtime.

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 <a href="https://www.mass.gov/ago/fairlabor">www.mass.gov/ago/fairlabor</a> or call the Attorney General's Fair Labor Division at (617) 727-3465

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.

**Pay Deductions** 

An employer cannot take money from an employee's pay for the employer's ordinary

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.

Meal Breaks

meal break, the employee must get paid for that time. Payroll Records each pay period, and hours worked (each day and week)

payroll records at reasonable times and places.

starting work. 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

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.

Employers Must Not Discriminate the same or comparable work as another employee of a different gender.

 Sex (including pregnancy) Military service

MA

Sexual orientation or gender identity or expression Genetic information or disability

**Small Necessities Leave** months for their

· child's school activities,

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

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.

intrusion from coworkers and the public, which may be used by the employee to

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

LABOR

ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum wage,

and/or overtime pay provisions. 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.

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

Some employers incorrectly classify workers as "independent contractors"

when they are actually employees under the FLSA. It is important to know the

disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

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

M.G.L. Chapter 149, Section 190

M.G.L. Chapter 149, Section 52E

M.G.L. Chapter 149, Section 150

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

M.G.L. Chapter 149, Sections 56 –105

M.G.L. Chapter 151, Section 19

M.G.L. Chapter 151, Sections 1B and 20

### Wage and Hour Laws Office of Massachusett **Attorney General** Maura Healey

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

OFFICE OF THE ATTORNEY GENERAL COMMONWEALTH OF MASSACHUSETTS

www.mass.gov/ago/fairlabor

To learn about rights of temporary workers and employees hired through staffing agencies,

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

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

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,

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

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

similar complaints. Employees who win their case will receive back pay, triple damages,

It is against the law for an employer to punish or discriminate against an employee for

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

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

Work Permits Required - Most workers under 18 must obtain a work permit.

mployers 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

Work at a job that requires that the employee have or use a firearm

• 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,

• Work in or near factories, construction sites, manufacturing plants,

past 10:15 if the employer stops serving • More than **48 hours** per

At **night**, from 7 p.m. to 7 a.m. Exception: In summer (July 1 – Labor Day),

• More than **3 hours** on any school day • More than **8 hours** on

• More than **8 hours** on any weekend • More than **40 hours** per

• 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 • <a href="https://www.mass.gov/ago/youthemployment">www.mass.gov/ago/youthemployment</a>. Or contact the U.S.

Must not work

At **night**, from 10 p.m. to 6 a.m. (or

Exception: On non-school nights, may

work until 11:30 p.m. or until midnight,

• More than **18 hours** during any week

\*Exception: For school-approved career or experience-building jobs, students may be

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

kiosk or stand in a common area of an enclosed shopping mall that has security

accessible. Exception: Adult supervision is not required for minors working at a

if working at a restaurant or racetrack.

**During the School Year:\*** 

allowed to work during the school day, up to 23 hours a week

During school hours

or holiday

customers at 10 p.m.)

mechanized workplaces, garages, tunnels, or other risky workplaces

At any time:

More than 9 hours per day

• More than **6 days** per week

When school is not in

More than 6 days per week

• Use, clean or repair certain kinds of power-driven machines

• Drive most motor vehicles or forklifts

Handle, serve, or sell alcoholic beverages

Work 30 or more feet off of the ground

processors, cutters, and mixers

· Work in freezers or meat coolers

Perform any baking activities

to immigration authorities because the worker complained about a violation of rights, the

making a complaint or trying to enforce the rights explained in this poster.

employer can be prosecuted and/or subject to civil penalties.

say what kinds of work or tasks minors must NOT do.

Dangerous Jobs & Tasks Minors Must Not Do

Employees Under 18 – Child Labor

children; and legal help, protective orders, and going to court.

employers with 50 or more employees.

Employees Have the Right to Sue

attorneys' fees, and court costs.

such as health care, counseling, and victims services; safe housing; care and custody of their

paid the prevailing wage, a minimum rate set by the Department of Labor Standards based

### State law requires all employers to post this notice at the workplace in a location where it can easily be read.

expected hours of work.

Rights of Temporary Workers

Rights of Domestic Workers

call: 617-626-6970 or go to: www.mass.gov/dols.

	M.G.L. Chapter 151, Sections 1, 2, 2A, and 7			Employees are eligible for this leave if the employer has at least 50 employees and the employee has:
vorkers are byees. The es to <b>all</b>	Effective Date	Minimum Wage	Service Rates	<ul> <li>been employed for at least 12 months by the employer and</li> <li>worked at least 1,250 hours for the employer during the previous 12-month period.</li> </ul>
	January 1, 2017	\$11.00	\$3.75	Reporting Pay 454 C.M.R. 27.04
(\$8.00 per	January 1, 2019	\$12.00	\$4.35	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

\$4.95 \$6.15 \$6.75 51, Section 7

nd who

Tips and service charges listed on a bill must be given only to wait staff, service bartenders, or other service employees The leave can be paid or unpaid depending on the employer's policy. This law applies to

Overtime pay is at least 1.5 x the regular rate of pay for each hour worked over 40 hours in

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

**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 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 the employee's own benefit (such as to put money aside in the employee's savings account). 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

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 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, a

the request of the employer, an employee agrees to work or stay at the workplace during the M.G.L. Chapter 151, Section 15 Payroll records must include the employee's name, address, job/occupation, amount paid

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

Department of Labor: (617) 624-6700 • www.youth.dol.gov time on their first day of work. Employees must have access to their sick leave 90 days after Time & Schedule Restrictions for Minors 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

M.G.L. Chapter 151B, Section 4 Subject to certain limited exceptions, employers must not pay one employee less for doing

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

M.G.L. Chapter 149, Section 52D In some cases, employees have the right to take up to 24 hours unpaid leave every 12 child's doctor or dentist appointment, or

# (?) Contact the Attorney General's Fair Labor Division:

(617) 727-3465 - www.mass.gov/ago/fairlabor

from 8 p.m. until the mall closes.

## Rev. 06/2021

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal ninimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate. THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

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

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

436 DWIGHT STREET Room 601 **Room 220** Boston, MA 02108 Springfield, MA 01103 617/994-6000 413/739-2145 617/994-6196 TTY

## MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

NOTICE: Under the Massachusetts Pregnant Workers Fairness Act, employers must distribute a written notice of the right to be free from discrimination due to pregnancy or a condition

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related to pregnancy. The notice shall be provided to employees in a handbook, pamphlet, or by other means. Posting does not fulfill the notice requirement. For more information, contact the

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

MA **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?

SEXUAL HARASSMENT OFFICER

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

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. 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

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. 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-protections as under the Earned Sick Time Law.

Massachusetts Commission Against Discrimination.

Employees using earned sick time cannot 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

**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

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

**DO YOU HAVE QUESTIONS?** Call the Fair Labor Division at 617-727-3465 • **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.

Rev. 07/2016

### **EMPLOYEE RIGHTS**

**EMPLOYEE POLYGRAPH PROTECTION ACT** The Employee Polygraph Protection Act prohibits most private workplace incident (theft, embezzlement, etc.) that resulted in economic loss

employers from using lie detector tests either for pre-employment to the employer. The law does not preempt any provision of any State or local law or any screening or during the course of employment collective bargaining agreement which is more restrictive with respect to lie **PROHIBITIONS** Employers are generally prohibited from requiring or requesting any employee or inh applicant to take a lie detector test, and from discharging, disciplining, **EXAMINEE RIGHTS** 

take a test or for exercising other rights under the Act. 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 results Federal, State and local governments are not affected by the law. Also, the disclosed to unauthorized persons. law does not apply to tests given by the Federal Government to certain private **ENFORCEMENT** individuals engaged in national security-related activities. The Secretary of Labor may bring court actions to restrain violations and assess The Act permits polygraph (a kind of lie detector) tests to be administered in

security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER The Act also permits polygraph testing, subject to restrictions, of certain WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. employees of private firms who are reasonably suspected of involvement in a

or discriminating against an employee or prospective employee for refusing to

the private sector, subject to restrictions, to certain prospective employees of

OF LABOR UNITED STATES OF AMERICA

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WAGE AND HOUR DIVISION UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243 TTY: 1-877-889-5627 www.dol.gov/whd

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

civil penalties against violators. Employees or job applicants may also bring

# Fair Employment in Massachusetts

Applicants to and employees of private employers with physical disability 6 or more employees\*, state and local governments, employment agencies and labor organizations are protected M.G.L. c. 151B prohibits discrimination the basis of disability, a record under Massachusetts General Laws Chapter 151B from discrimination on the following bases:

PREGNANCY AND PREGNANCY-RELATED CONDITIONS, GENDER IDENTITY, SEXUAL ORIENTATION, GENETIC INFORMATION, ANCESTRY, M.G.L. c. 151B protects applicants and employees from discrimination in hiring, promotion, discharge, compensation, benefits, training, classification and other aspects of employment on the basis of race, color, religion, disability, national origin (including unlawful language proficiency requirements), age (if you

RACE, COLOR, RELIGION, DISABILITY, NATIONAL ORIGIN, AGE, SEX,

are 40 years old or older), sex, pregnancy or a condition related to pregnancy, gender identity, sexual orientation, genetic information, ancestry, and military service. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose 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. The Pregnant Workers Fairness Act prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child, and describes employers

these employees are entitled to receive. PARENTAL LEAVE The law requires employers to grant an employee who has completed an initial probationary period and has given two (2) weeks' notice of the anticipated date of departure and the employee's intention to return, at least eight (8)

obligations to employees that are pregnant or lactating and the protections

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 Street, Room 320, Worcester, MA 01608 - P: 508-453-9630 F: 508-755-3861 For more information, please see our website: <a href="www.mass.gov/mcad/">www.mass.gov/mcad/</a>

### MA

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

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: 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

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

Note: During peak periods from Monday through	ıh	- ,	•	_	•						
Thursday, call scheduling may be implemented, providing priority for callers based on the last digit of their Social Security Number. This helps ensure that you and others can get through to the TeleClaim Center in a timely manner. Please check the schedule on the right before calling.		0, 1			Monday						
		2,3	Tuesday Wednesday Thursday Friday								
		4, 5, 6 7, 8, 9 Any last digit									
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					This document contains important information. Please have it translated immediately.	Questo documento contiene informazioni importanti. La preghiamo di tradurlo inmediatamente.		ເອກະສານສະບັບນີ້ ບັນ ກະລຸນາເອົາເອກະສານສ	* * PLATED		
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		nente.	ឯកសារនេះមាននូវព័ត៌ម	កនដ៏សំខាន់ ។	لى معلومات هامة.						
Este documento contiene información	Docikmar	sa gen enfòmasyon ennòtan									

있습니다. 본 문서를 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,

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# Notice to Employees The Commonwealth of Massachusetts

**DEPARTMENT OF INDUSTRIAL ACCIDENTS** 

importante. Por favor, consiga una traducción Tanpri fè von moun tradwi l touswit.

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 \_\_\_\_

work related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the

**Commission Against Discrimination Parental Leave** An Act Relative to Parental Leave expands the current maternity leave lay The law expands the notice requirements, mandating that G.L. c. 149, § 105D, which is enforced by the Massachusetts Commission employers keep a posting in a conspicuous place describing the Against Discrimination (MCAD). Currently, Massachusetts law requires law's requirements and the employer's policies as to parental leave.

employers with six or more employees to provide eight weeks of unpaid Boston: One Ashburton Place, Room 601, Boston, MA 02108; 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 **Springfield:** 436 Dwight Street, Room 220, Springfield, MA 01103: 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 Worcester: 484 Main Street, Room 320, Worcester, MA 01608;

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 employee on leave for the birth of a child.

Covered individuals may be entitled to family and medical leave for the

up to 20 weeks of paid medical leave in a benefit year if they have a

family member who is a covered service member with a serious

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

0.344% (adjusted annually) from a covered individual's wages or other earnings

A covered individual's average weekly earnings will determine his or her benefit

amount, for a maximum weekly benefit of up to \$1,084.31 (adjusted annually).

Generally, a worker qualifies as a covered individual eligible for paid family and

S/he is a self-employed individual who resides and works in

Massachusetts and chooses to opt-in to the program; and

paid wages by a Massachusetts employer; or

Who is a Covered Individual Under the Law?

S/he is covered by unemployment insurance in Massachusetts and

MA

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

Notice of Benefits Available Under M.G.L. Chapter 175M Paid Family and Medical Leave S/he earned more than 30 times the expected benefit and more

serious health condition that incapacitates them from work. 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 as of the date of leave. qualifying exigency arising out of the fact that a family member is on These job protections do not apply to former employees, independent contractors, active duty or has been notified of an impending call to active duty or self-employed individuals. up to 26 weeks of paid family leave in a benefit year to care for a

working for the duration of such leave.

or her lost wages

Employers must continue to provide for and contribute to employees'

benefits that are at least as generous as those provided under the law, the continue to be protected from discrimination and retaliation under the law even If you have questions or concerns about your Paid Family and Medical Leave rights, please call:

Rev. 11/2021

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### YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed

If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military. in your employer's health plan when you are reemployed, generally without any waiting periods or

Even if you don't elect to continue coverage during your military service, you have the right to be reinstated exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra.

If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation. are obligated to serve in the uniformed service; You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement

> by displaying the text of this notice where they customarily place notices for employees. U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel Employer Support of the Guard and Reserve • 1-800-336-4590

**REV. 05/2022** 

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

any benefit of employment

you ensure that your employer receives advance written or verbal notice of your service;

you have five years or less of cumulative service in the uniformed services while with that particular

you return to work or apply for reemployment in a timely manner after conclusion of service; and

you have not been separated from service with a disqualifying discharge or under other than honorable

**LEAVE ENTITLEMENTS** Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the

not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

are a past or present member of the uniformed

have applied for membership in the uniformed

following reasons: The birth of a child or placement of a child for adoption or

To bond with a child (leave must be taken within 1 year of the child's birth or placement): To care for the employee's spouse, child, or parent who has a

qualifying serious health condition; For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job; For qualifying exigencies related to the foreign deployment of a

parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious iniury or illness. An employee does not need to use leave in one block. When it is

An eligible employee who is a covered servicemember's spouse, child,

medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. loyees may cnoose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

Private Employers, State and Local Governments,

**Educational Institutions, Employment Agencies and** 

**Labor Organizations** 

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

accommodation does not impose undue hardship.

employee, barring undue hardship.

SEX (WAGES)

establishment.

fringe benefits, job training, classification, referral, and other aspects

pregnancy), or national origin. Religious discrimination includes failing

to reasonably accommodate an employee's religious practices where the

of employment, on the basis of race, color, religion, sex (including

Title I and Title V of the Americans with Disabilities Act of 1990,

as amended, protect qualified individuals from discrimination on

the basis of disability in hiring, promotion, discharge, pay, fringe

benefits, job training, classification, referral, and other aspects of

employment. Disability discrimination includes not making reasonable

accommodation to the known physical or mental limitations of an

The Age Discrimination in Employment Act of 1967, as amended,

protects applicants and employees 40 years of age or older from

discrimination based on age in hiring, promotion, discharge, pay,

Act, as amended, the Equal Pay Act of 1963, as amended, prohibits

sex discrimination in the payment of wages to women and men

Title II of the Genetic Information Nondiscrimination Act of 2008

information in hiring, promotion, discharge, pay, fringe benefits, job

training, classification, referral, and other aspects of employment. GINA

also restricts employers' acquisition of genetic information and strictly

limits disclosure of genetic information. Genetic information includes

information about genetic tests of applicants, employees, or their family

members; the manifestation of diseases or disorders in family members

otherwise qualified individual with a disability who is an applicant or

DEPARTMENT OF LABOR UNITED STATES OF AMERICA

FED

the following bases:

## THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

While employees are on FMLA leave, employers must continue health

insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in

any proceeding under or related to the FMLA. An employee who works for a covered employer must meet three criteria

in order to be eligible for FMLA leave. The employee must: military member who is the employee's spouse, child, or parent. Have worked for the employer for at least 12 months; Have at least 1,250 hours of service in the 12 months before taking leave:\* and

> Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite. \*Special "hours of service" requirements apply to airline flight crew **REQUESTING LEAVE**

must notify the employer as soon as possible and, generally, follow the employer's usual procedures Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave For additional information or to file a complaint:

Generally, employees must give 30-days' advance notice of the need

for FMLA leave. If it is not possible to give 30-days' notice, an employee

1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd

U.S. Department of Labor • Wage and Hour Division • WH1420

qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

**EMPLOYER RESPONSIBILITIES** 

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for

Employers must notify its employees if leave will be designated as FMLA

leave, and if so, how much leave will be designated as FMLA leave. **ENFORCEMENT** Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an

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



Equal Employment Opportunity is THE LAW (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

All of these Federal laws prohibit covered entities from retaliating

Applicants to and employees of most private employers, state and local against a person who files a charge of discrimination, participates governments, educational institutions, employment agencies and labor in a discrimination proceeding, or otherwise opposes an unlawful organizations are protected under Federal law from discrimination on employment practice. WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS Title VII of the Civil Rights Act of 1964, as amended, protects applicants There are strict time limits for filing charges of employment and employees from discrimination in hiring, promotion, discharge, pay,

> to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information

about EEOC, including information about charge filing, is available at

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of fringe benefits, job training, classification, referral, and other aspects of

employment.

Section 503 of the Rehabilitation Act of 1973, as amended, protects In addition to sex discrimination prohibited by Title VII of the Civil Rights qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability performing substantially equal work, in jobs that require equal skill, discrimination includes not making reasonable accommodation to effort, and responsibility, under similar working conditions, in the same the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take

INDIVIDUALS WITH DISABILITIES

### affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the protects applicants and employees from discrimination based on genetic

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires

affirmative action to employ and advance in employment disabled

REV. 04/2016 veterans, recently separated veterans (within three years of discharge or

release from active duty), other protected veterans (veterans who served

badge has been authorized), and Armed Forces service medal veterans

during a war or in a campaign or expedition for which a campaign

(veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded). Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise

contact immediately:

Programs or Activities Receiving Federal Financial

RACE, COLOR, NATIONAL ORIGIN, SEX 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



# 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)

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

the workplace injury and illness log.

participate) in an OSHA inspection and

employer. Request copies of your medical records, tests that measure hazards in the workplace, and

This poster is available free from OSHA.

Contact OSHA. We can help.

**TWO** ways to verify poster compliance!

**QR CODE** Scan with phone camera:

**ONLINE** 

Go to: JJKeller.com/LLPverify

opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination discrimination. To preserve the ability of EEOC to act on your behalf and or affirmative action obligations under the authorities above should The Office of Federal Contract Compliance Programs (OFCCP), U.S.

Assistance

employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of

any institution which receives Federal financial assistance, you should

immediately contact the Federal agency providing such assistance.



# IT'S THE LAW!

 Provide employees a workplace free from recognized hazards. It is illegal to retaliate

**Employers must:** 

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

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.

fatality or within 24 hours of any work-related

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

JJKeller.com/laborlaw 800-327-6868 65778F

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This poster is in compliance with federal and state posting requirements.

JAN2022

retention in employment: In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service

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service: or

then an employer may not deny you:

initial employment;

reemployment;

# under 18, or adoption of a child under 23 years old if the child has a mental or

WH1462

REV. 07/2016

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. 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

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

M.G.L. c. 151B prohibits discrimination and harassment against certain

MENTAL HEALTH FACILITY ADMISSION INOUIRIES 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 REEN DISCRIMINATED AGAINST

application for any criminal background information unless an exemption by

If you feel you have been harassed or discriminated against, you should

mmediately 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** 

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# Information on Employees' Unemployment Insurance Coverage

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, and select UI Online for Claimants, and complete the required information to submit your application.

If the last digit of your Social Security Number is:

Assigned day to call Teleclaim is: 有重要信息 حتوي هذه الوثيقة على

EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY)

importantes. Veuillez le faire traduire

MEDICAL TREATMENT The above named insurer is required in cases of personal injuries arising out 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 easonable 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

TO BE POSTED BY EMPLOYER

508-453-9630 If the employer agrees to provide parental leave for longer than New Bedford: 800 Purchase, Room 501, New Bedford, MA 02740; 8 weeks, the employer must reinstate the employee at the end 508-990-2390 of the extended leave unless it clearly informs the employee in

> Visit our website for more resources and instructions on filing a complaint: www.mass.gov/mcad Formatted by HH

than \$5,700 (adjusted annually) in the last four completed quarters preceding the application for benefits. Job Protection Generally, an employee who has taken paid family or medical leave must be restored to the employee's previous position or to an equal position, with the same status, pay, employment benefits, length-of-service credit, and seniority

It is unlawful for an employer to discriminate or retaliate against an employee for exercising any right to which s/he is entitled under 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

employment-related health insurance benefits, if any, at the level and under the

conditions coverage would have been provided if the employees had continued

when an employer opts to provide paid leave benefits through a private plan. (833)344-7365 or visit: https://www.mass.gov/DFML This notice must be posted in a conspicuous place on the employer's premises.

If an employer offers employees paid family leave, medical leave, or both, with

Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

discrimination causes or may cause discrimination in providing 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. INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

# **Job Safety and Health**

against an employee for using any of their rights under the law, including raising a health

To update your labor law posters contact J. J. Keller & Associates, Inc.

FED-MA-ENG

Enter this code: 62820-012022