

outside salespeople.

M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7

Tips

# LABOR LAWS

### **Since 1953**

## FEDERAL

# MASSACHUSETTS

### FED FED FED EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT **EMPLOYEE RIGHTS** YOUR RIGHTS UNDER USERRA **EMPLOYEE POLYGRAPH PROTECTION ACT** THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT than a bathroom, that is shielded from view and free from intrusion from coworkers **FEDERAL MINIMUM WAGE** The Employee Polygraph Protection Act prohibits most private and the public, which may be used by the employee to express breast milk. vorkplace incident (theft, embezzlement, etc.) that resulted in economic loss to ers from using lie detector tests either for pre-employmen 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 \$7.25 PER HOUR **ENFORCEMEN** screening or during the course of employment. The law does not preempt any provision of any State or local law or any collective Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. The Department has authority to recover back wages and an equal amount in bargaining agreement which is more restrictive with respect to lie detector tests. PROHIBITIONS **BEGINNING JULY 24, 2009 REEMPLOYMENT RIGHT HEALTH INSURANCE PROTECTION** liquidated damages in instances of minimum wage, overtime, and other violations. The Employers are generally prohibited from requiring or requesting any employe **EXAMINEE RIGHTS** 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 Department may litigate and/or recommend criminal prosecution. Employers may be or job applicant to take a lie detector test, and from discharging, disciplining, or Where polygraph tests are permitted, they are subject to numerous strict The law requires employers to display this poster where discriminating against an employee or prospective employee for refusing to take assessed civil money penalties for each willful or repeated violation of the minimum standards concerning the conduct and length of the test. Examinees have a employer-based health plan coverage for you and your dependents for up to 24 months while in the military. service and: a test or for exercising other rights under the Act. number of specific rights, including the right to a written notice before testing, wage or overtime pay provisions of the law. Civil money penalties may also be assessed employees can readily see it. you ensure that your employer receives advance written or verbal notice of your service; Even if you don't elect to continue coverage during your military service, you have the right to be reinstated the right to refuse or discontinue a test, and the right not to have test results EXEMPTIONS for violations of the FLSA's child labor provisions. Heightened civil money penalties in your employer's health plan when you are reemployed, generally without any waiting periods or disclosed to unauthorized persons. you have five years or less of cumulative service in the uniformed services while with that particular Federal, State and local governments are not affected by the law. Also, the **OVERTIME PAY** may be assessed for each child labor violation that results in the death or serious injury exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries. **ENFORCEMENT** law does not apply to tests given by the Federal Government to certain private At least 11/2 times the regular rate of pay for all hours worked over 40 in a workweek. of any minor employee, and such assessments may be doubled when the violations individuals engaged in national security-related activities. The Secretary of Labor may bring court actions to restrain violations and assess you return to work or apply for reemployment in a timely manner after conclusion of service; and **ENFORCEMENT** are determined to be willful or repeated. The law also prohibits retaliating against or The Act permits polygraph (a kind of lie detector) tests to be administered in **CHILD LABOR** civil penalties against violators. Employees or job applicants may also bring their the private sector, subject to restrictions, to certain prospective employees of discharging workers who file a complaint or participate in any proceeding under the The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate you have not been separated from service with a disqualifying discharge or under other than honorable An employee must be at least 16 years old to work in most non-farm jobs and at least own court actions. security service firms (armored car, alarm, and guard), and of pharmaceutical and resolve complaints of USERRA violations 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 manufacturers, distributors and dispensers. THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER For assistance in filing a complaint, or for any other information on USERRA, contact VETS at and 15 years old may work outside school hours in various non-manufacturing, non-ADDITIONAL INFORMATION The Act also permits polygraph testing, subject to restrictions, of certain If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had employees of private firms who are reasonably suspected of involvement in a WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. 1-866-4-USA-DOL or visit its website at https://www.dol.gov/agencies/vets/. An interactive online USERRA mining, non-hazardous jobs with certain work hours restrictions. Different rules apply Certain occupations and establishments are exempt from the minimum wage, not been absent due to military service or, in some cases, a comparable job. in agricultural employment and/or overtime pay provisions. Certain narrow exemptions also apply to the Advisor can be viewed at https://webapps.dol.gov/elaws/vets/userra. **RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION** pump at work requirements If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred TIP CREDI If you: Special provisions apply to workers in American Samoa, the Commonwealth of to the Department of Justice or the Office of Special Counsel, as applicable, for representation. DFPARTMEN<sup>®</sup> Employers of "tipped employees" who meet certain conditions may claim a partial WAGE AND HOUR DIVISION are a past or present member of the uniformed are obligated to serve in the uniformed service; the Northern Mariana Islands, and the Commonwealth of Puerto Rico. OF LABOR 1-866-487-9243 wage credit based on tips received by their employees. Employers must pay tipped You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. UNITED STATES DEPARTMENT VV П UNITED STATES service Some state laws provide greater employee protections; employers must www.dol.gov/agencies/whd employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and OF LABOR OF AMERICA have applied for membership in the uniformed comply with both. minimum wage obligation. If an employee's tips combined with the employer's cash may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer Some employers incorrectly classify workers as "independent contractors" WH1462 service: or law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement must make up the difference. when they are actually employees under the FLSA. It is important to know the then an employer may not deny you: by displaying the text of this notice where they customarily place notices for employees. difference between the two because employees (unless exempt) are entitled REV. 02/2022 initial employment promotion; or PUMP AT WORK to the FLSA's minimum wage and overtime pay protections and correctly U.S. Department of Labor • 1-866-487-2365 U.S. Department of Justice Office of Special Counsel The FLSA requires employers to provide reasonable break time for a nursing employee any benefit of employment reemployment; classified independent contractors are not. to express breast milk for their nursing child for one year after the child's birth each Employer Support of the Guard and Reserve • 1-800-336-4590 retention in employment Certain full-time students. student learners, apprentices, and workers with time the employee needs to express breast milk. Employers must provide a place, other MA disabilities may be paid less than the minimum wage under special certificates **Commission Against Discrimination** because of this status issued by the Department of Labor. In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including FAIR EMPLOYMENT IN MASSACHUSETTS testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service under 18, or adoption of a child under 23 years old if the child has a mental or Applicants to and employees of private employers with connection REV. 05/2022 physical disability. DEPARTMEN 6 or more employees\*, state and local governments, WAGE AND HOUR DIVISION 1-866-487-9243 OF LABOR DISABILITY mployment agencies and labor organizations are protected UNITED STATES LINITED STATES DEPARTMENT OF LABOR www.dol.gov/agencies/whd M.G.L. c. 151B prohibits discrimination the basis of disability, a record under Massachusetts General Laws Chapter 151B from OF AMERICA of disability or perceived disability, in hiring, promotion, discharge, FED discrimination on the following bases: compensation, benefits, training, classification and other aspects of YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT RACE, COLOR, RELIGION, DISABILITY, NATIONAL ORIGIN, AGE, SEX, employment. Disability discrimination may include failing to reasonably PREGNANCY AND PREGNANCY-RELATED CONDITIONS, GENDER accommodate an otherwise qualified person with a disability. REV. 04/2023 What is FMLA leave? Airline flight crew employees have different "hours of service" What does my employer need to do? IDENTITY, SEXUAL ORIENTATION, GENETIC INFORMATION, ANCESTRY, RETALIATION The Family and Medical Leave Act (FMLA) is a federal law that provides requirements If you are eligible for FMLA leave, your **employer must**: **MILITARY SERVICE** t is illegal to retaliate against any person because s/he has opposed any M.G.L. c. 151B protects applicants and employees from discrimination in hiring eligible employees with **job-protected leave** for qualifying family and liscriminatory practices or because s/he has filed a complaint, testified, or You work for a **covered employer** if **one** of the following applies: Allow you to take job-protected time off work for a qualifying MA promotion, discharge, compensation, benefits, training, classification and other assisted in any proceeding before the Commission. It is also illegal to aid, abet, medical reasons. The U.S. Department of Labor's Wage and Hour Division Office of the Attorney General You work for a private employer that had at least 50 employees aspects of employment on the basis of race, color, religion, disability, national incite, compel or coerce any act forbidden under M.G.L. c. 151B, or attempt to (WHD) enforces the FMLA for most employees. origin (including unlawful language proficiency requirements), age (if you during at least 20 workweeks in the current or previous calendar Continue your group health plan coverage while you are on Wage & Hour Laws are 40 years old or older), sex, pregnancy or a condition related to pregnancy, Eligible employees can take up to 12 workweeks of FMLA leave in a DOMESTIC WORKERS leave on the same basis as if you had not taken leave, and gender identity, sexual orientation, genetic information, ancestry, and military 12-month period for: M.G.L. c. 151B prohibits discrimination and harassment against certain service. Religious discrimination includes failing to reasonably accommodate You work for an elementary or public or private secondary Allow you to return to the same job, or a virtually identical job domestic workers where the employer has one (1) or more employee.\* While an employee's religious practices where the accommodation does not impose The birth, adoption or foster placement of a child with you, Fair Labor Hotline school, or with the same pay, benefits and other working conditions, The minimum wage is some exclusions apply, domestic workers generally include individuals paid to OFFICE OF THE ATTORNEY GENERAL an undue hardship Attornev Genera (617) 727-3465 Your serious mental or physical health condition that makes you including shift and location, at the end of your leave. www.mass.gov/ago/fairlabor perform work of a domestic nature within a household on a regular basis, such You work for a public agency, such as a local, state or federal \$15.00 COMMONWEALTH OF MASSACHUSETTS HARASSMENT TTY (617) 727-4765 Andrea Jov Campbe as housekeeping, housecleaning, nanny services, and/or caretaking. Employers unable to work. government agency. Most federal employees are covered by Your **employer cannot interfere with your FMLA rights** or threaten Sexual harassment includes sexual advances, requests for sexual favors, and are prohibited from engaging in sexual harassment and harassment and/or Title II of the FMLA, administered by the Office of Personnel or punish you for exercising your rights under the law. For example, other verbal or physical conduct of a sexual nature when (a) submission to or To care for your spouse, child or parent with a serious mental or discrimination based on the protected classes described above, i.e. race, color, rejection of such advances, requests or conduct is made explicitly or implicitly etc. Domestic workers are also entitled to parental leave. physical health condition, and Management. your employer cannot retaliate against you for requesting FMLA leave or a term or condition of employment or as a basis for employment decisions; (b) State law requires all employers to post this notice at the workplace in a location where it can easily be read. **CRIMINAL HISTORY INQUIRIES** cooperating with a WHD investigation. Certain qualifying reasons related to the foreign deployment of such advances, requests or conduct have the purpose or effect of unreasonably How do I request FMLA leave? M.G.L. Chapter 151, Section 16; 454 C.M.R. 27.07(1) The law prohibits employers from asking applicants on an initial employment interfering with a person's work performance by creating an intimidating, your spouse, child or parent who is a military servicemember. After becoming aware that your need for leave is for a reason that may Generally, to request FMLA leave you must application for any criminal background information unless an exemption by hostile, humiliating or sexually offensive work environment. The law also qualify under the FMLA, your **employer must confirm whether you** statute or regulation exists. An eligible employee who is the spouse, child, parent or next of kin of a Follow your employer's normal policies for requesting leave, Minimum Wage M.G.L. Chapter 151, Sections 1, 2, 2A, and 7 Reporting Pav 454 C M R 27 04(1 prohibits harassment based on the protected classes set forth above. are eligible or not eligible for FMLA leave. If your employer determines MENTAL HEALTH FACILITY ADMISSION INOUIRIES covered servicemember with a serious injury or illness may take up to Beginning January 1, 2023, the minimum wage in Massachusetts is \$15/hour. In Most employees must be paid for 3 hours at no less than minimum wage if the employe PREGNANCY Give notice at least 30 days before your need for FMLA leave, or that you are eligible, your **employer must notify you in writing**: Employers may not refuse to hire or terminate an employee for failing to 26 workweeks of FMLA leave in a single 12-month period to care for Massachusetts, all workers are presumed to be employees. The minimum wage applies to **all** is scheduled to work 3 or more hours, and reports to work on time, and is not given the The Pregnant Workers Fairness Act prohibits employment discrimination on furnish information regarding his/her admission to a facility for the care and If advance notice is not possible, give notice as soon as possible. employees, except expected hours of work the servicemember About your FMLA rights and responsibilities, and the basis of pregnancy and pregnancy-related conditions, such as lactation or treatment of mentally ill persons. An employment application may not seek • agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers), the need to express breast milk for a nursing child, and describes employers You do not have to share a medical diagnosis but must provide Rights of Temporary Workers M.G.L. Chapter 149, Section 159C information about an applicant's admission to such a facility. You have the right to use FMLA leave in **one block of time**. When it How much of your requested leave, if any, will be FMLAobligations to employees that are pregnant or lactating and the protections members of a religious order, enough information to your employer so they can determine whether To learn about rights of temporary workers and employees hired through staffing agencies, IF YOU HAVE BEEN DISCRIMINATED AGAINST is medically necessary or otherwise permitted, you may take FMLA protected leave. these employees are entitled to receive. workers being trained in certain educational, nonprofit, or religious organizations, and call: 617-626-6970 or go to: www.mass.gov/dols.

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

nmediately file a charge of discrimination with the Massachusetts

Commission Against Discrimination, www.mcad.gov, at one of the

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the leave qualifies for FMLA protection. You must also inform your leave intermittently in separate blocks of time, or on a reduced Where can I find more information? employer if FMLA leave was previously taken or approved for the schedule by working less hours each day or week. Read Fact Sheet Call 1-866-487-9243 or visit dol.gov/fmla to learn more. same reason when requesting additional leave. #28M(c) for more information If you believe your rights under the FMLA have been violated, you may Your employer may request certification from a health care provider FMLA leave is not paid leave, but you may choose, or be required file a complaint with WHD or file a private lawsuit against your employer to verify medical leave and may request certification of a qualifying by your employer, to use any employer-provided paid leave if your in court. Scan the QR code to learn about our WHD complaint exigency. employer's paid leave policy covers the reason for which you need FMLA process The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective Am I eligible to take FMLA leave? SCAN ME bargaining agreement that provides greater family or medical leave DEPARTMENT OF LABOR You are an eligible employee if all of the following apply: riahts. UNITED STATES OF AMERICA You work for a covered employer, State employees may be subject to certain limitations in pursuit of WAGE AND HOUR DIVISION You have worked for your employer at least 12 months, direct lawsuits regarding leave for their own serious health conditions. UNITED STATES DEPARTMENT OF LABOR You have at least 1,250 hours of service for your employer during Most federal and certain congressional employees are also covered by WH1420 the law but are subject to the jurisdiction of the U.S. Office of Personnel the 12 months before your leave, and Management or Congress. Your employer has at least 50 employees within 75 miles of your work location. REV. 04/2023 FED U.S. Equal Employment Opportunity Commission Know Your Rights: Workplace Discrimination is Illegal The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help. Conduct that might reasonably discourage someone from opposing barring undue hardship to the employer. Section 503 also requires that Federal Who is Protected? contractors take affirmative action to employ and advance in employment qualified discrimination, filing a charge, or participating in an investigation or Employees (current and former), including managers and temporary individuals with disabilities at all levels of employment, including the executive nroceeding employees level. Conduct that coerces, intimidates, threatens, or interferes with someone Job applicants exercising their rights, or someone assisting or encouraging someone **Protected Veteran Status** Union members and applicants for membership in a union else to exercise rights, regarding disability discrimination (including The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 accommodation) or pregnancy accommodation What Types of Employment Discrimination are Illegal? U.S.C. 4212, prohibits employment discrimination against, and requires affirmative What can You Do if You Believe Discrimination has Occurred? Under the EEOC's laws, an employer may not discriminate against you, regardless of action to recruit, employ, and advance in employment, disabled veterans, recently your immigration status, on the bases of: separated veterans (i.e., within three years of discharge or release from active duty) Contact the EEOC promptly if you suspect discrimination. Do not delay, because active duty wartime or campaign badge veterans, or Armed Forces service medal there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following veterans Color ways Retaliation Religion Submit an inquiry through the EEOC's public portal: Retaliation is prohibited against a person who files a complaint of discrimination, National origin https://publicportal.eeoc.gov/Portal/Login.aspx participates in an OFCCP proceeding, or otherwise opposes discrimination by Sex (including pregnancy, childbirth, and related medical conditions, Federal contractors under these Federal laws 1-800-669-4000 (toll free) sexual orientation, or gender identity) Any person who believes a contractor has violated its nondiscrimination 1-800-669-6820 (TTY) Age (40 and older) or affirmative action obligations under OFCCP's authorities should contact 1-844-234-5122 (ASL video phone) immediately an EEOC field office (information at Genetic information (including employer requests for, or purchase, use, or The Office of Federal Contract Compliance Programs (OFCCP) www.eeoc.gov/field-office) disclosure of genetic tests, genetic services, or family medical history) U.S. Department of Labor E-Mail 200 Constitution Avenue, N.W. info@eeoc.gov Retaliation for filing a charge, reasonably opposing discrimination, or Washington, D.C. 20210 participating in a discrimination lawsuit, investigation, or proceeding 1-800-397-6251 (toll-free) Interference, coercion, or threats related to exercising rights regarding Additional information about the FFOC. If you are deaf, hard of hearing, or have a speech disability, please dial disability discrimination or pregnancy accommodation including information about filing a charge of 7–1–1 to access telecommunications relay services. OFCCP may also discrimination, is available at *www.eeoc.gov* What Organizations are Covered? be contacted by submitting a guestion online to OFCCP's Help Desk at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or Most private employers district office, listed in most telephone directories under U.S. Government State and local governments (as employers) Department of Labor and on OFCCP's "Contact Us" webpage at Educational institutions (as employers) **EMPLOYERS HOLDING FEDERAL CONTRACTS OR** https://www.dol.gov/agencies/ofccp/contact. Unions SUBCONTRACTS PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL Staffing agencies The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) ASSISTANCE enforces the nondiscrimination and affirmative action commitments of companies What Employment Practices can be Challenged as doing business with the Federal Government. If you are applying for a job with, **Discriminatory**? Race, Color, National Origin, Sex or are an employee of, a company with a Federal contract or subcontract, you are All aspects of employment, including: In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, protected under Federal law from discrimination on the following bases: Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination Discharge, firing, or lay-off Race, Color, Religion, Sex, Sexual Orientation, Gender on the basis of race, color or national origin in programs or activities receiving Harassment (including unwelcome verbal or physical conduct) Federal financial assistance. Employment discrimination is covered by Title VI if Identity, National Origin Hiring or promotion the primary objective of the financial assistance is provision of employment, or Executive Order 11246, as amended, prohibits employment discrimination by Assignment where employment discrimination causes or may cause discrimination in providing Federal contractors based on race, color, religion, sex, sexual orientation, gender services under such programs. Title IX of the Education Amendments of 1972 Pay (unequal wages or compensation) identity, or national origin, and requires affirmative action to ensure equality of prohibits employment discrimination on the basis of sex in educational programs or Failure to provide reasonable accommodation for a disability; pregnancy, opportunity in all aspects of employment. activities which receive Federal financial assistance. childbirth, or related medical condition; or a sincerely-held religious Asking About, Disclosing, or Discussing Pay belief, observance or practice Individuals with Disabilities Executive Order 11246, as amended, protects applicants and employees of Federal Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment Benefits contractors from discrimination based on inquiring about, disclosing, or discussing discrimination on the basis of disability in any program or activity which Job training their compensation or the compensation of other applicants or employees. receives Federal financial assistance. Discrimination is prohibited in all aspects of Classification mployment against persons with disabilities who, with or without reasonable Disability accommodation, can perform the essential functions of the job Referral Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified Obtaining or disclosing genetic information of employees If you believe you have been discriminated against in a program of any institution individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of which receives Federal financial assistance, you should immediately contact the Requesting or disclosing medical information of employees employment by Federal contractors. Disability discrimination includes not making Federal agency providing such assistance. reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee REV. 06/27/2023

<b>}</b>	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	childcare, cooking, home management, elder care, or similar services in a household, go to www.mass.gov/ago/DW.	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 discrimination.
้ 🖌	than \$20 a month in tips. The average hourly tips, plus the hourly service rate paid to	Public Works and Public Construction Workers M.G.L. Chapter 149, Section 26-27H	Boston Office: 1 Ashburton PL., Suite 601, Boston, MA 02108 - P: 617-994-6000 F: 617-994-6024
	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	Workers who work on public construction projects and certain other public work must be	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/
×#	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,	paid the prevailing wage, a minimum rate set by the Department of Labor Standards based on the type of work performed.	For more minimation, prease see our website. <u>www.inass.gov/incau/</u>
	service bartenders, and other service employees.	Domestic Violence Leave M.G.L. Chapter 149, Section 52E	REV. 02/2023
<i>.</i>	Overtime M.G.L. Chapter 151, Sections 1 A and 1 B	Employees who are victims, or whose family members are victims, of domestic violence,	
	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	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	ΜΛ
X	a week. For some employees who get paid the "service rate", the overtime rate is 1.5 x the basic	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	Department of Unemployment Assistance
	minimum wage, <i>not</i> the service rate.	employers with 50 or more employees.	Information About Employees' Unemployment Insurance Coverage
Ŷ	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	Employees Have the Right to Sue M.G.L. Chapter 149, Section 150; M.G.L. Chapter 151,	
	General's Fair Labor Division at (617) 727-3465.	Sections 1B and 20	Employer's name
	Payment of Wages         M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.02	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	
×# 	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	similar complaints. Employees who win their case will receive back pay, triple damages, attorneys' fees, and court costs.	Employer's DUA ID Number
	pay, and earned commissions that are definitely determined, due and payable.	Important! There are strict deadlines for starting a lawsuit. For most cases, the deadline is 3	Employer's Address
×,	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	years after the violation.	Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts
	worked during one calendar week.	Employers Must Not Retaliate M.G.L. Chapter 149, Section 148A; M.G.L. Chapter 151,	employers. No deductions are made from your salary to cover the cost of your Unemployment Insurance benefits.
<b>Y</b>	Employees who <i>quit</i> 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 <i>fired or laid off</i> must be	Section 19 It is against the law for an employer to punish or discriminate against an employee for	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
	paid in full on their last day of work.	making a complaint or trying to enforce the rights explained in this poster.	Unemployment Insurance (UI) benefits. Before you file, your employer will give you a copy of the pamphlet: <i>How to Apply for Unemployment</i>
<b>\$</b>	Paystub Information         M.G.L. Chapter 149, Section 148	The laws explained in this poster apply to all workers, regardless of immigration status,	Insurance Benefits, provided by the Massachusetts Department of Unemployment Assistance (DUA).
	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	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	You must be in the United States, its territories, or Canada when filing a claim or certifying for weekly UI benefits.
	worked during the pay period, the hourly rate, and all deductions or increases made during the pay period.	employer can be prosecuted and/or subject to civil penalties.	There are two ways to apply for UI Benefits:
×# 	Pay Deductions M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.05	Employees Under 18 – Child Labor M.G.L. Chapter 149, Sections 56 – 105	Apply by using UI Online
	An employer cannot deduct money from an employee's pay unless the law allows it (such as	All employers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say <i>when, where, and how long</i> minors may work. They also	UI Online is a secure, easy-to-use, self-service system. You can apply for benefits, reopen an existing claim, request weekly benefit payments,
X/	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).	say what kinds of work or tasks minors must NOT do.	check your claim status, sign up for direct deposit, update your address, and even file an appeal online. To apply for benefits using UI Online, visit <b>mass.gov/dua</b> , and select <b>UI Online for Claimants</b> , and complete the required information to submit your application.
	An employer cannot take money from an employee's pay for the employer's ordinary	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.	
	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 get a work permit, the minor must apply to the superintendent of the school	Apply by calling the TeleClaim Center
	to the employee.	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	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 phone. To apply
	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.	www.mass.gov/dols.	for benefits by phone, call the TeleClaim Center at 1 (877) 626-6800. You will be asked to enter your Social Security Number and the year you were
<i>""</i>	Hours Worked 454 C.M.R. 27.02	Dangerous Jobs & Tasks Minors Must Not Do	born. You will then be connected to an agent who will take the information necessary to file your claim
	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	Age Must Not	This document contains important Questo documento contiene informazioni ເອກະສານສະບັບນີ້ ບັນຈຂໍ້ມູນອັນສຳຄັນ. 由文件会有重要信息。
\$# 	the work.	16 & 17 • Drive most motor vehicles or forklifts	This document contains important Questo document contiene informazioni เอาะสามละบับปี びょうをมนฮัมสำคับ. 此文件含有重要信息。 information. Please have it translated importanti. La preghiamo di tradurlo immediatamente. immediatamente. imadiatamente. imadiatamente.
	Meal Breaks M.G.L. Chapter 149, Sections 100 and 101	<ul> <li>Work at a job that requires that the employee have or use a firearm</li> <li>Use, clean or repair certain kinds of power-driven machines</li> </ul>	В данном документе содержится важная Este documento contém informações ย่าງปี่มีลัก. информация. Вам необходимо срочно importantes. Por favor, traduzi-lo стадот, наворала заизинота importantes. Por favor, traduzi-lo одарат, наворала заизинота содержится важная содержится в содержится важная содержится в содержится важная содержится важная содержится важная содержится важная содержится важная содержится важная со
X j	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	Handle, serve, or sell alcoholic beverages	сделать перевод документа. imediatamente. unbultiss в Isgarine вывлютия ч المرقب في علونه عن علونه علونه عن علونه عن علونه عن علونه علونه عن علونه ع ש المناف علونه ع المعالي المعالي المعالي المعالي المعالي المعالية المعالية المعالية المعالي المعالي المعالي المعالية المعالي المعا
	the request of the employer, an employee agrees to work or stay at the workplace during the	Work 30 or more feet off of the ground	importante. Por ravor, consign una traducción Tanpri fe yon moun tradivi l touswit. 6 0 교 inmediatamente. 본 문서에는 중요하 정보가 포함되어 Ce document contient des informations
	meal break, the employee must get paid for that time.	14 & 15 • Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NEICO broilers, or pressure cookers	Tài liệu này có chứa thông tin quan trọng. 있습니다. 본 문서를 즉시 번역하도록 importantes. Veuillez le faire traduire au plus tốt.
	Payroll Records M.G.L. Chapter 151, Section 15 Payroll records must include the employee's name, address, job/occupation, amount paid	Operate, clean or repair power-driven food slicers, grinders,	
	each pay period, and hours worked (each day and week).	choppers, processors, cutters, and mixers <ul> <li>Work in freezers or meat coolers</li> </ul>	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
	Employers must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places.	Perform any baking activities	identification number assigned to the employer by the Department of Unemployment Assistance .
	Sick Leave M.G.L. Chapter 149, Section 148C	<ul> <li>Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces</li> </ul>	An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. For hearing-
×# 	Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and	Under 14 • Minors under 14 cannot work in Massachusetts in most cases.	impaired relay services, call 711.
	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	These are just some examples of tasks prohibited under both state and federal law. For	mass.gov/dua
	starting work. Eligible employees may use their sick leave if they or their child, spouse, parent, or spouse's	a complete list of prohibited jobs for minors, contact the Attorney General's Fair Labor	Form 2553-A
	parent is sick, injured, or has a routine medical appointment. They may also use sick leave for	Division: (617) 727-3465 • <u>www.mass.gov/ago/youthemployment</u> . Or contact the U.S. Department of Labor: (617) 624-6700 • <u>www.youth.dol.gov</u>	
X	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.	Time & Schedule Restrictions for Minors	
	Employees who miss more than 3 days in a row may need to provide their employer a doctor's note.	Age Must not work At any time:	
<b>\$</b>	Paid Sick Leave	16 & 17 At <b>night</b> , from 10 p.m. to 6 a.m. • More than <b>9 hours</b> per day	
	Employers with 11 or more employees <i>must</i> provide paid sick leave. Employers with fewer than 11 employees must provide sick leave; however, it does not need to be paid.	(or past 10:15 if the employer stops • More than <b>48 hours</b> per	
<b>\$</b>	Employers Must Not Discriminate M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151 B,	Exception: On non-school nights, • More than <b>6 days</b> per week	REV. 1/8/202
	Section 4	may work until 11:30 p.m. or until midnight, if working at a restaurant	e de
	Subject to certain limited exceptions, employers must not pay one employee less for doing the same or comparable work as another employee of a different gender.	or racetrack.	MA DEPARTMENT OF INDUSTRIAL ACCIDENTS
	They must not discriminate in hiring, pay or other compensation, or other terms of	14 & 15 At <b>night</b> , from 7 p.m. to 7 a.m. <i>Exception:</i> In summer (July 1 – Labor Day), may work until 9 p.m.	NOTICE TO EMPLOYEES Department of Industrial Accidents at 617.727.4900 or
6	employment based on a person's: • Race or color	Day), may work until 9 p.m. During the School Year:* When school is not in	
	Race or color     Religion, national origin, or ancestry	During the school rear: when school is not in     During school hours session:	THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF INDUSTRIAL ACCIDENTS Injured workers may select their own medical provider. Medical
	Sex (including pregnancy)	More than <b>3 hours</b> on any school     More than <b>8 hours</b> on	DEPARTMENT OF INDUSTRIAL ACCIDENTS         Injured workers may select their own medical provider. Medical           IF YOU ARE INJURED ON THE JOB:         treatment costs that are reasonable, necessary, and related to the
Ŷ	<ul> <li>Military service</li> <li>Sexual orientation or gender identity or expression</li> </ul>	day any day • More than <b>18 hours</b> during any • More than <b>40 hours</b> per	Immediately notify your employer that you have been     work injury will be paid by the above-named insurer.
	Genetic information or disability	week week	injured. If medical facility information is provided below, the above-named insurer has a preferred provider arrangement and the insurer has
	• Age	More than 8 hours on any     More than 6 days per week weekend or holiday	EMPLOYER HR/WORKERS' COMPENSATION CONTACT arranged for your initial treatment at:
//	Small Negrestities Leave M.C.L. Chapter 140, Section 52D	weekenu oi nonuay	

M.G.L. Chapter 149, Section 190

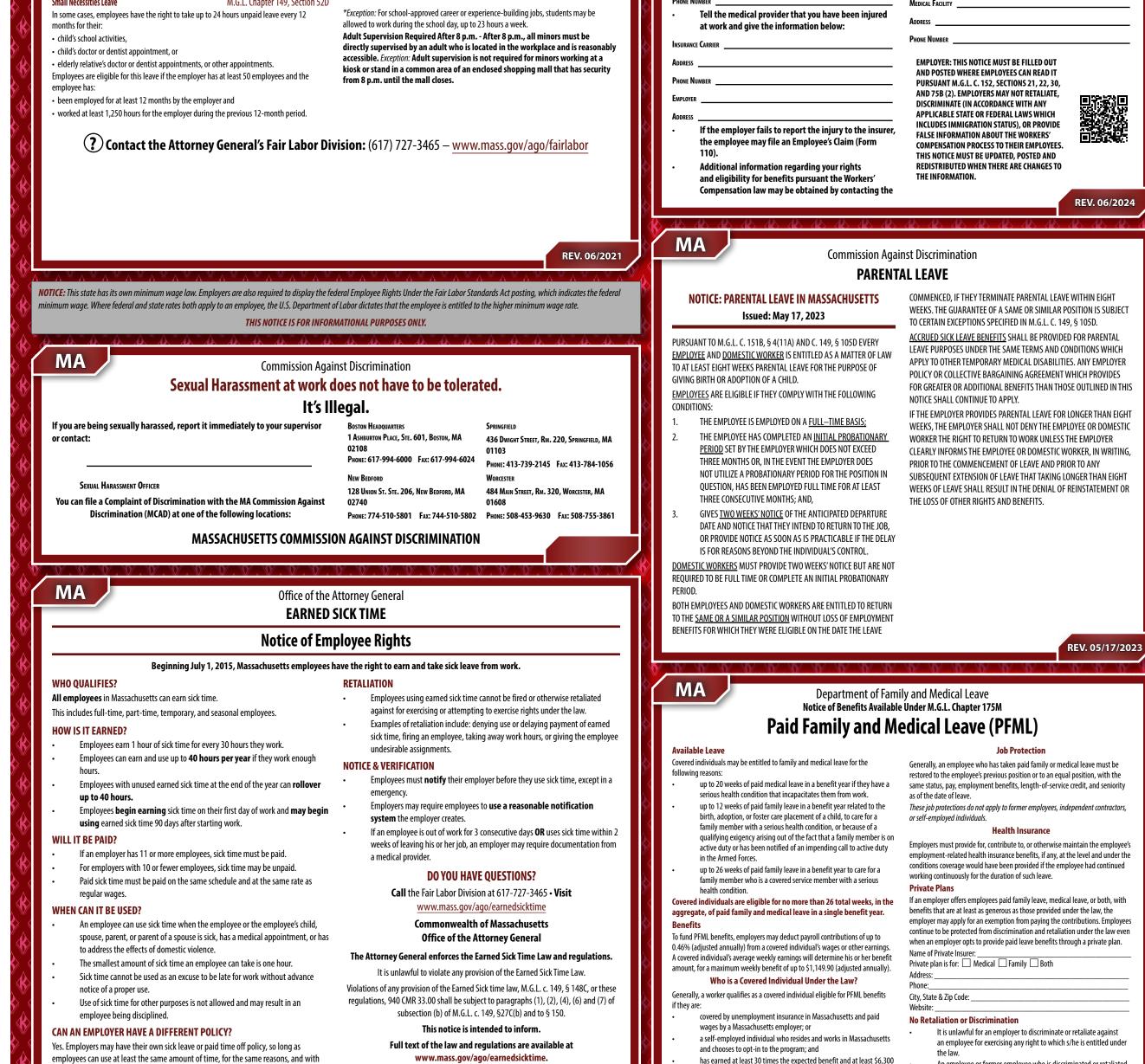
Riahts of Domestic Workers

To learn about additional rights for workers who

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





## **Job Safety and Health IT'S THE LAW!**

### All workers have the right to:

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

This poster is available free from OSHA.

### Contact OSHA. We can help.

### **Employers must:**

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

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

