FED

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

ENFORCEMEN

FEDERAL MINIMUM WAGE \$7.25 PER HOUR **BEGINNING JULY 24, 2009**

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

At least 11/2 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, nonmining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment

Employers of "tipped employees" who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for their nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other

UNITED STATES

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Minimum Wage

employees, except

members of a religious order,

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WAGE AND HOUR DIVISION LINITED STATES DEPARTMENT OF LAROR

The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the

ADDITIONAL INFORMATION Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both. Some employers incorrectly classify workers as "independent contractors" when they are actually employees under the FLSA. It is important to know the

difference between the two because employees (unless exempt) are entitled

to the FLSA's minimum wage and overtime pay protections and correctly classified independent contractors are not. Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.

> 1-866-487-9243 www.dol.gov/agencies/whd

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

childcare. cooking, home management, elder care, or similar services in a household, go to

Workers who work on public construction projects and certain other public work must be

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

Employees who are victims, or whose family members are victims, of domestic violence

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

sexual assault, stalking or kidnapping have the right to 15 days of leave for related needs

The leave can be paid or unpaid depending on the employer's policy. This law applies to

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

Employees Have the Right to Sue M.G.L. Chapter 149, Section 150; M.G.L. Chapter 151,

Employees have the right to sue their employer for most violations of wage and hour laws.

imployees 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

Employers Must Not Retaliate M.G.L. Chapter 149, Section 148A; M.G.L. Chapter 151

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

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

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

Employers must keep their minor workers' work permits on file at the worksite.

To get a work permit, the minor must apply to the superintendent of the school

district where the minor lives or goes to school. To learn more about getting a

work permit, contact the Department of Labor Standards at (617) 626-6975, or

• Drive most motor vehicles or forklifts

Handle, serve, or sell alcoholic beverages

• Work 30 or more feet off of the ground

choppers, processors, cutters, and mixers

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 Attornev General's Fair Labor

Division: (617) 727-3465 • www.mass.gov/ago/youthemployment. Or contact the U.S.

Must not work

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

serving customers at 10 p.m.)

Day), may work until 9 p.m.

During school hours

Exception: On non-school nights.

may work until 11:30 p.m. or until

midnight, if working at a restaurant

(or past 10:15 if the employer stops

· Work in freezers or meat coolers

Perform any baking activities

Department of Labor: (617) 624-6700 • www.youth.dol.gov

Time & Schedule Restrictions for Minors

Must Not

• 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

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

• Minors under 14 cannot work in Massachusetts in most cases.

mechanized workplaces, garages, tunnels, or other risky workplaces

At any time:

More than 9 hours per day

· More than 6 days per week

More than 48 hours per

When school is not in

• Operate, clean or repair power-driven food slicers, grinders,

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

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

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

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

To learn about additional rights for workers who provide housekeeping, cleaning.



Attorney Genera

Andrea Jov Campbel

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

M.G.L. Chapter 149, Section 190

M.G.L. Chapter 149, Section 26-27H

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

Sections 1B and 20

Section 19

M.G.L. Chapter 149, Sections 56 –105

REV. 04/2023

Wage & Hour Laws

Fair Labor Hotline OFFICE OF THE ATTORNEY GENERAL \$15.00 TTY (617) 727-4765

COMMONWEALTH OF MASSACHUSETTS

www.mass.gov/ago/fairlabor

Office of the Attorney General

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

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

Riahts of Domestic Workers

www.mass.gov/ago/DW.

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

Public Works and Public Construction Workers

employers with 50 or more employees.

attorneys' fees, and court costs.

Emplovees Under 18 – Child Labor

M.G.L. Chapter 151, Sections 1, 2, 2A, and 7 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 employee 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 • agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers),

 workers being trained in certain educational, nonprofit, or religious organizations, and outside salespeople. M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7 service rate" applies to workers who provide services to customers and who make more than \$20 a month in tips. The average hourly tips, plus the hourly service rate paid to the worker must add up to the minimum wage per each shift. Employers, owners and employees with managerial or supervisory responsibilities on a given day must never take any of your tips. Tips and service charges listed on a bill must be given only to wait staff,

service bartenders, and other service employees. M.G.L. Chapter 151, Sections 1 A and 1 B 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

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

For some employees who get paid the "service rate", the overtime rate is 1.5 x the basic minimum wage, *not* the service rate. Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/ago/fairlabor or call the Attorney

General's Fair Labor Division at (617) 727-3465. M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.02 Payment of Wages The law says when, what, and how employees must be paid. An employee's pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned commissions that are definitely determined, due and payable. Hourly employees must be paid every week or every other week (bi-weekly). The deadline to pay is 6 or 7 days after the pay period ends, depending on how many days an employee worked during one calendar week Employees who *quit* must be paid in full on the next regular payday or by the first Saturday

after they quit (if there is no regular payday). Employees who are fired or laid off must be paid in full on their last day of work. M.G.L. Chapter 149, Section 148 All employees must get a statement, at no cost, with their pay that says the name of the employer and employee, the date of payment (month, day, and year), the number of hours

worked during the pay period, the hourly rate, and all deductions or increases made during the pay period. 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 imployee's own benefit (such as to put money aside in the employee's savings account). An employer cannot take money from an employee's pay for the employer's ordinary business costs (for example: supplies, materials or tools needed for the employee's job). An employer who requires an employee to buy or rent a uniform must refund the actual costs

The law also puts limits on when and how much money an employer can take from an employee's pay for housing and meals the employer gives to the employee.

Hours worked 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 Meal Breaks M.G.L. Chapter 149, Sections 100 and 101

Most employees who work more than 6 hours must get a 30-minute meal break. During their meal break, employees must be free of all duties and free to leave the workplace. If, at the request of the employer, an employee agrees to work or stay at the workplace during the meal break, the employee must get paid for that time. **Payroll Records** M.G.L. Chapter 151, Section 15

Payroll records must include the employee's name, address, job/occupation, amount paid each pay period, and hours worked (each day and week). Employers must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places.

Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and they may earn and take up to 40 hours of sick leave a year. Employees begin accruing sick time on their first day of work. Employees must have access to their sick leave 90 days after

Eligible employees may use their sick leave if they or their child, spouse, parent, or spouse's parent is sick, injured, or has a routine medical appointment. They may also use sick leave for themselves or their child to address the effects of domestic violence 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 **Paid Sick Leave** imployers 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 <u>Not</u> Discriminate M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151 B

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

Religion, national origin, or ancestry

 Sex (including pregnancy) · Sexual orientation or gender identity or expression

Genetic information or disability

Small Necessities Leave M.G.L. Chanter 149 Section 52D

In some cases, employees have the right to take up to 24 hours unpaid leave every 12 child's school activities,

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

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

been employed for at least 12 months by the employer and worked at least 1,250 hours for the employer during the previous 12-month period.

and the public, which may be used by the employee to express breast milk.

LABOR

LAWS

than a bathroom, that is shielded from view and free from intrusion from coworkers

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employe or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

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law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a

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

UNITED STATES DEPARTMENT

EMPLOYEE POLYGRAPH PROTECTION ACT

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

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 disclosed to unauthorized persons. **ENFORCEMENT**

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

www.dol.gov/agencies/whd

1-866-487-9243

Commission Against Discrimination

Applicants to and employees of private employers with 6 or more employees*, state and local governments, employment agencies and labor organizations are protected under Massachusetts General Laws Chapter 151B from discrimination on the following bases:

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

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 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

an undue hardship 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. 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 ion to return, at least eight (8 weeks of paid or unpaid leave for the purpose of childbirth, adoption of a child

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 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/

MA

Information About Employees' Unemployment Insurance Coverage

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts imployers. 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).

There are two ways to apply for UI Benefits:

Apply by calling the TeleClaim Center Unemployment Insurance services are available by phone. You can apply for Unemployment Insurance benefits, reopen a current claim, obtain up-to-date information on the status of your claim and benefit payment, resolve problems, and sign up for direct deposit, all by phone. To apply for benefits by phone, call the TeleClaim Center at 1 (877) 626-6800. You will be asked to enter your Social Security Number and the year you were

Questo documento contiene informazioni ເອກະສານສະບັບນີ້ ບັນຈຸຂໍ້ມູນອັນສຳຄັນ. 此文件含有重要信息。 ormation. Please have it translated ກະລຸນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກ 請立即找人翻譯。 Este documento contém informações ຢ່າງບໍ່ລໍຊ້າ. - ឯកសារនេះមាននូវព័ត៌មានដ៏សំខាន់ ។ នៅសារនេះមាននូវព័ត៌មានដ៏សំខាន់ ។ ать перевод документа. សូមបកប្រែវាជាបន្ទាន់ ។ 본 문서에는 중요한 정보가 포항되어

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 hearingimpaired relay services, call 711

mass.gov/dua

DEPARTMENT OF INDUSTRIAL ACCIDENTS Department of Industrial Accidents at 617.727.4900 or

NOTICE TO EMPLOYEES IF YOU ARE INJURED ON THE JOB:

Tell the medical provider that you have been injured

the employee may file an Employee's Claim (Form

Additional information regarding your rights

and eligibility for benefits pursuant the Workers' Compensation law may be obtained by contacting the

 More than 3 hours on any school More than 8 hours on any day More than 18 hours during any More than 40 hours pe · More than 6 days per weel EMPLOYER HR/WORKERS' COMPENSATION CONTACT

Form 2553-A

More than 8 hours on any weekend or holiday *Exception: For school-approved career or experience-building jobs, students may be

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

Adult Supervision Required After 8 p.m. - After 8 p.m., all minors must be directly supervised by an adult who is located in the workplace and is reasonably accessible. Exception: Adult supervision is not required for minors working at a kiosk or stand in a common area of an enclosed shopping mall that has security

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

REV. 06/2021

436 DWIGHT STREET, Rm. 220, SPRINGFIELD, MA

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

484 Main Street, Rm. 320, Worcester, MA

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IOTICE: 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 imum 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.

MA **Commission Against Discrimination** Sexual Harassment at work does not have to be tolerated.

It's Illegal. lf you are being sexually harassed, report it immediately to your supervisor 1 ASHBURTON PLACE, STE. 601, BOSTON, MA PHONE: 617-994-6000 Fax: 617-994-6024

You can file a Complaint of Discrimination with the MA Commission Against

Discrimination (MCAD) at one of the following locations:

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION MA

Office of the Attorney General **EARNED SICK TIME**

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

All employees in Massachusetts can earn sick time. This includes full-time, part-time, temporary, and seasonal employees. sick time, firing an employee, taking away work hours, or giving the employee 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

Employees with unused earned sick time at the end of the year can rollover 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

WHO QUALIFIES?

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.

Notice of Employee Rights

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

undesirable assignments.

Employees must **notify** their employer before they use sick time, except in a 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

PHONE: 774-510-5801 Fax: 744-510-5802 Phone: 508-453-9630 Fax: 508-755-3861

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

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

The Attorney General enforces the Earned Sick Time Law and regulations.

www.mass.gov/ago/earnedsicktime.

REV. 07/2016

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.

EMPLOYEE RIGHTS

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a

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

REV. 02/2022

FAIR EMPLOYMENT IN MASSACHUSETTS under 18, or adoption of a child under 23 years old if the child has a mental or physical disability.

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

t 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

M.G.L. c. 151B prohibits discrimination and harassment against certain domestic workers where the employer has one (1) or more employee.* While some exclusions apply, domestic workers generally include individuals paid to perform work of a domestic nature within a household on a regular basis, such as housekeeping, housecleaning, nanny services, and/or caretaking. Employers are prohibited from engaging in sexual harassment and harassment and/or discrimination based on the protected classes described above, i.e. race, color, etc. Domestic workers are also entitled to parental leave.

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

The law prohibits employers from asking applicants on an initial employment

IF YOU HAVE BEEN DISCRIMINATED AGAINST 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 offices below. **An agreement with your employer to arbitrate your** <u>discrimination claim(s) does not bar you from filing a charge of</u>

CRIMINAL HISTORY INQUIRIES

REV. 02/2023

Department of Unemployment Assistance

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

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

born. You will then be connected to an agent who will take the information necessary to file your claim

visiting www.mass.gov/dia. THE COMMONWEALTH OF MASSACHUSETTS IF MEDICAL TREATMENT IS NEEDED **DEPARTMENT OF INDUSTRIAL ACCIDENTS** Injured workers may select their own medical provider. Medical reatment costs that are reasonable, necessary, and related to the work injury will be paid by the above-named insurer. Immediately notify your employer that you have been If medical facility information is provided below, the above-named insurer has a preferred provider arrangement and the insurer has arranged for your initial treatment at:

EMPLOYER: THIS NOTICE MUST BE FILLED OUT AND POSTED WHERE EMPLOYEES CAN READ IT If the employer fails to report the injury to the insurer,

PARENTAL LEAVE

APPLICABLE STATE OR FEDERAL LAWS WHICH COMPENSATION PROCESS TO THEIR EMPLOYEES. THIS NOTICE MUST BE UPDATED. POSTED AND

REV. 06/2024

Commission Against Discrimination

NOTICE: PARENTAL LEAVE IN MASSACHUSETTS Issued: May 17, 2023 PURSUANT TO M.G.L. C. 151B, § 4(11A) AND C. 149, § 105D EVERY EMPLOYEE AND DOMESTIC WORKER IS ENTITLED AS A MATTER OF LAW

TO AT LEAST EIGHT WEEKS PARENTAL LEAVE FOR THE PURPOSE OF GIVING BIRTH OR ADOPTION OF A CHILD. EMPLOYEES ARE ELIGIBLE IF THEY COMPLY WITH THE FOLLOWING THE EMPLOYEE IS EMPLOYED ON A FULL—TIME BASIS; THE EMPLOYEE HAS COMPLETED AN INITIAL PROBATIONARY PERIOD SET BY THE EMPLOYER WHICH DOES NOT EXCEED

OUESTION, HAS BEEN EMPLOYED FULL TIME FOR AT LEAST GIVES TWO WEEKS' NOTICE OF THE ANTICIPATED DEPARTURE DATE AND NOTICE THAT THEY INTEND TO RETURN TO THE JOB, OR PROVIDE NOTICE AS SOON AS IS PRACTICABLE IF THE DELA **DOMESTIC WORKERS MUST PROVIDE TWO WEEKS' NOTICE BUT ARE NOT** REQUIRED TO BE FULL TIME OR COMPLETE AN INITIAL PROBATIONARY

BOTH EMPLOYEES AND DOMESTIC WORKERS ARE ENTITLED TO RETURN

TO THE SAME OR A SIMILAR POSITION WITHOUT LOSS OF EMPLOYMENT

BENEFITS FOR WHICH THEY WERE ELIGIBLE ON THE DATE THE LEAVE

NOT UTILIZE A PROBATIONARY PERIOD FOR THE POSITION IN

COMMENCED, IF THEY TERMINATE PARENTAL LEAVE WITHIN EIGHT WEEKS. THE GUARANTEE OF A SAME OR SIMILAR POSITION IS SUBJECT ACCRUED SICK LEAVE BENEFITS SHALL BE PROVIDED FOR PARENTAL APPLY TO OTHER TEMPORARY MEDICAL DISABILITIES, ANY EMPLOYER

FOR GREATER OR ADDITIONAL BENEFITS THAN THOSE OUTLINED IN THIS

NOTICE SHALL CONTINUE TO APPLY

IF THE EMPLOYER PROVIDES PARENTAL LEAVE FOR LONGER THAN EIGHT THE LOSS OF OTHER RIGHTS AND BENEFITS

Department of Family and Medical Leave

Notice of Benefits Available Under M.G.L. Chapter 175M

Paid Family and Medical Leave (PFML)

Available Leave Covered individuals may be entitled to family and medical leave for the up to 20 weeks of paid medical leave in a benefit year if they have a 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 qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty up to 26 weeks of paid family leave in a benefit year to care for a amily 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 0.46% (adjusted annually) from a covered individual's wages or other earnings. A covered individual's average weekly earnings will determine his or her benefi amount, for a maximum weekly benefit of up to \$1,149.90 (adjusted annually). Who is a Covered Individual Under the Law? Generally, a worker qualifies as a covered individual eligible for PFML benefits covered by unemployment insurance in Massachusetts and paid wages by a Massachusetts employer; or a self-employed individual who resides and works in Massachusetts

and chooses to opt-in to the program; and

application for benefits.

(adjusted annually) in the last four completed guarters preceding the

Generally, an employee who has taken paid family or medical leave must be estored to the employee's previous position or to an equal position, with the same status, pay, employment benefits, length-of-service credit, and seniority as of the date of leave These job protections do not apply to former employees, independent contractors, or self-employed individuals.

Employers must provide for, contribute to, or otherwise maintain the employee's

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

onditions coverage would have been provided if the employee had continued

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

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

benefits that are at least as generous as those provided under the law, the mployer may apply for an exemption from paying the contributions. Employees continue to be protected from discrimination and retaliation under the law even when an employer opts to provide paid leave benefits through a private plan. Private plan is for: Medical Family Both City, State & Zip Code:

working continuously for the duration of such leave.

Private Plans

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 If you have questions or concerns about your PFML rights, call: (833)344-7365 or visit: https://www.mass.gov/DFML

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.

YOUR RIGHTS UNDER USERRA

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. you ensure that your employer receives advance written or verbal notice of your service; in your employer's health plan when you are reemployed, generally without any waiting periods or you have five years or less of cumulative service in the uniformed services while with that particular

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

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. 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

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at

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

may be viewed on the internet at this address: https://www.dol.gov/agencies/vets/programs/userra/poster Federal

REV. 05/2022

YOUR EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

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

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

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had

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

any benefit of employment

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

service: or

FED

then an employer may not deny you:

initial employment

retention in employment:

reemployment;

(WHD) enforces the FMLA for most employees. Eligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for:

The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you To care for your spouse, child or parent with a serious mental or physical health condition, and

Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember. An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of FMLA leave in a single 12-month period to care for You have the right to use FMLA leave in **one block of time**. When it

is medically necessary or otherwise permitted, you may take FMLA

leave intermittently in separate blocks of time, or on a reduced

schedule by working less hours each day or week. Read Fact Sheet #28M(c) for more information FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA

Am I eligible to take FMLA leave? You are an **eligible employee** if **all** of the following apply: You work for a covered employer,

You have at least 1,250 hours of service for your employer during the 12 months before your leave, and Your employer has at least 50 employees within 75 miles of your

You have worked for your employer at least 12 months,

Airline flight crew employees have different "hours of service"

You work for a **covered employer** if **one** of the following applies: You work for a private employer that had at least 50 employees

during at least 20 workweeks in the current or previous calendar You work for an elementary or public or private secondary

You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel

How do I request FMLA leave? Generally, to request FMLA leave you must Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or If advance notice is not possible, give notice as soon as possible. You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether

same reason when requesting additional leave. Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying The FMLA does not affect any federal or state law prohibiting

discrimination or supersede any state or local law or collective

bargaining agreement that provides greater family or medical leave

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

employer if FMLA leave was previously taken or approved for the

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

U.S. Equal Employment Opportunity Commission

Conduct that might reasonably discourage someone from opposing

discrimination, filing a charge, or participating in an investigation or

an inquiry through the EEOC's public portal:

1-800-669-4000 (toll free)

1-844-234-5122 (ASL video phone)

an EEOC field office (information at

1-800-669-6820 (TTY)

www.eeoc.gov/field-office)

Additional information about the FFOC.

including information about filing a charge of

discrimination, is available at <mark>www.eeoc.gov</mark>

https://publicportal.eeoc.gov/Portal/Login.gspx

What does my employer need to do?

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

Allow you to take job-protected time off work for a qualifying Continue your group health plan coverage while you are on

leave on the same basis as if you had not taken leave, and Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave. Your **employer cannot interfere with your FMLA rights** or threaten

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

that you are eligible, your **employer must notify you in writing**:

If you believe your rights under the FMLA have been violated, you may

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

About your FMLA rights and responsibilities, and How much of your requested leave, if any, will be FMLAprotected leave. Where can I find more information? Call 1-866-487-9243 or visit dol.gov/fmla to learn more.

file a complaint with WHD or file a private lawsuit against your employer in court. Scan the QR code to learn about our WHD complaint

DEPARTMENT OF LABOR

UNITED STATES OF AMERICA

WAGE AND HOUR DIVISION

UNITED STATES DEPARTMENT OF LABOR WH1420 REV. 04/2023

SCAN MF

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

> Conduct that coerces, intimidates, threatens, or interferes with someone exercising their rights, or someone assisting or encouraging someone **Protected Veteran Status** else to exercise rights, regarding disability discrimination (including The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 accommodation) or pregnancy accommodation U.S.C. 4212, prohibits employment discrimination against, and requires affirmative What can You Do if You Believe Discrimination has Occurred? Contact the EEOC promptly if you suspect discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300 days, depending on where you live/work). You can reach the EEOC in any of the following

> > Federal contractors under these Federal laws Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under OFCCP's authorities should contact

U.S. Department of Labor 200 Constitution Avenue, N.W. Washington, D.C. 20210 1-800-397-6251 (toll-free) If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services. OFCCP may also

Department of Labor and on OFCCP's "Contact Us" webpage at **EMPLOYERS HOLDING FEDERAL CONTRACTS OR** https://www.dol.gov/agencies/ofccp/contact. The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP)

enforces the nondiscrimination and affirmative action commitments of companies doing business with the Federal Government. If you are applying for a job with, Race, Color, National Origin, Sex or are an employee of, a company with a Federal contract or subcontract, you are 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: Race, Color, Religion, Sex, Sexual Orientation, Gender **Identity, National Origin**

Executive Order 11246, as amended, prohibits employment discrimination by Federal contractors based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment. Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on inquiring about, disclosing, or discussing

their compensation or the compensation of other applicants or employees.

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified

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

reasonable accommodation to the known physical or mental limitations of an

individuals with disabilities from discrimination in hiring, promotion, discharge,

employment by Federal contractors. Disability discrimination includes not making

activities which receive Federal financial assistance. Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment

Federal agency providing such assistance.



Disability

retaliated against.

All workers have the right to: A safe workplace. Raise a safety or health concern with your employer or OSHA, or report a work-

 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

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.

the workplace injury and illness log. 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

Enter this code: 69386-092024

barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive

action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal Retaliation Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination by

The Office of Federal Contract Compliance Programs (OFCCP)

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL **ASSISTANCE**

be contacted by submitting a question online to OFCCP's Help Desk

at https://ofccphelpdesk.dol.gov/s/, or by calling an OFCCP regional or

district office, listed in most telephone directories under U.S. Government.

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or

discrimination on the basis of disability in any program or activity which

receives Federal financial assistance. Discrimination is prohibited in all aspects of

mployment against persons with disabilities who, with or without reasonable

ccommodation, 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

REV. 06/27/2023



Job Safety and Health IT'S THE LAW!

> recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health

Employers must:

of an eye.

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

language and vocabulary they can understand.

Prominently display this poster in the workplace

Provide required training to all workers in a

Provide employees a workplace free from

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.

Post OSHA citations at or near the place of



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

JJKeller.com/laborlaw 800-327-6868 SEP2024 65778F

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

Rev. 10/2023 This poster is in compliance with federal and state posting requirements.

This notice must be posted in a conspicuous place on the employer's premises.

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been discriminated against at work or in applying for a job, the EEOC may be able to help. Who is Protected?

Employees (current and former), including managers and temporary

Union members and applicants for membership in a union What Types of Employment Discrimination are Illegal? Under the EEOC's laws, an employer may not discriminate against you, regardless of your immigration status, on the bases of:

National origin

Job applicants

Sex (including pregnancy, childbirth, and related medical conditions, sexual orientation, or gender identity) Age (40 and older) Genetic information (including employer requests for, or purchase, use, or

disclosure of genetic tests, genetic services, or family medical history)

Retaliation for filing a charge, reasonably opposing discrimination, or

participating in a discrimination lawsuit, investigation, or proceeding

Interference, coercion, or threats related to exercising rights regarding disability discrimination or pregnancy accommodation What Organizations are Covered? Most private employers

Discriminatory?

All aspects of employment, including:

Hiring or promotion

Discharge, firing, or lay-off

Educational institutions (as employers) Staffing agencies What Employment Practices can be Challenged as

State and local governments (as employers)

Failure to provide reasonable accommodation for a disability; pregnancy, childbirth, or related medical condition; or a sincerely-held religious belief, observance or practice Classification

Obtaining or disclosing genetic information of employees

Requesting or disclosing medical information of employees

Pay (unequal wages or compensation)

Harassment (including unwelcome verbal or physical conduct)

related injury or illness, without being

unsafe or unhealthy conditions. You have the right to have a representative contact

 See any OSHA citations issued to your employer. Reguest copies of your medical records, tests

that measure hazards in the workplace, and

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

FED-MA-ENG 62820

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