**Job Safety and Health** 

IT'S THE LAW!

**Employers must:** 

**Family Medical Leave Act** 

**EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT** THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and

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

REQUESTING LEAVE: Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must

Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily

activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a

EMPLOYER RESPONSIBILITIES: Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must

ENFORCEMENT: Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible

The 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

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

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

**Polygraph Protection** 

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

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged

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

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft,

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

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court

**IRS Withholding** 

in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and

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.

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.

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

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection.

ELIGIBILITY REQUIREMENTS: An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced

BENEFITS & PROTECTIONS: While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave

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

The birth of a child or placement of a child for adoption or foster care;

employee must comply with the employer's normal paid leave policies.

FMLA, or being involved in any proceeding under or related to the FMLA.

Have at least 1.250 hours of service in the 12 months before taking leave:\* and

\*Special "hours of service" requirements apply to airline flight crew employees.

written notice indicating what additional information is required.

Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite

against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act

(armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers

embezzlement, etc.) that resulted in economic loss to the employer

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

WAGE AND HOUR DIVISION

Marry or divorce?

ended a job)?

Your tax credits?

Change your name?

Gain or lose a dependent?

Your itemized deductions?

Were there major changes to ...

applicants to the uniformed services.

service in the uniformed service and:

REEMPLOYMENT RIGHTS

with that particular employer

may not deny you:

reemployment;

promotion: or

initial employment

retention in employment;

other than honorable conditions.

**UNITED STATES DEPARTMENT OF LABOR** 

YOU MAY NEED TO CHECK YOUR WITHHOLDING

Since you last filed Form W-4 with your employer did you...

Your nonwage income (interest, dividend, capital gains, etc.)?

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

· you have five years or less of cumulative service in the uniformed services while

• you have not been separated from service with a disqualifying discharge or under

If you are eligible to be reemployed, you must be restored to the job and benefits you

would have attained if you had not been absent due to military service or, in some

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

• are obligated to serve in the uniformed service; then an employer

have applied for membership in the uniformed service; or

any benefit of employment because of this status.

. Definition Of Sexual Harassment

Your family wage income (you or your spouse started or

notify the employer as soon as possible and, generally, follow the employer's usual procedures.

To bond with a child (leave must be taken within 1 year of the child's birth or placement);

To care for the employee's spouse, child, or parent who has a qualifying serious health condition

For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's iob;

• For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

. BASIC MINIMUM WAGE:

January 1, 2020 \$12,75 per hour:

January 1, 2021 \$13,50 per hour:

January 1, 2022 \$14.25 per hour

January 1, 2023 \$15.00 per hour;

January 1, 2019 \$4.35 per hour;

January 1, 2020 \$4.95 per hour,

January 1, 2021 \$5.55 per hour

January 1, 2023 \$6.75 per hour

Premium pay for Sunday work

will be phased out as follows:

The minimum wage is \$11.00.

wage for most agricultural workers).

members of a religious order,

or religious organizations, and

outside salespeople

he service rate.

overtime exemptions, visit

Chapter 151, Section 7

part of their employees' tips.

during the pay period.

Wage & Hour Laws

(now at 1.5 the regular hourly rate

January 1, 2019 1.4 times hourly rate

January 1, 2020 1.3 times hourly rate:

January 1, 2021 1,2 times hourly rate:

January 1, 2022 1,1 times hourly rate:

January 1, 2023 1.0 times hourly rate.

M.G.L. Chapter 151, Sections 1, 2, 2A, and 7

In Massachusetts, all workers are presumed to

be employees. The minimum wage applies to all

•agricultural workers (\$8.00 per hour is the minimum

workers being trained in certain educational, nonprofit

Overtime M.G.L. Chapter 151, Sections 1A and 1B

Generally, employees who work more than 40 hours

in any week must be paid overtime. Overtime pay is at

or some employees who get paid the "service rate,"

Exception: Under state law, some jobs and workplaces

Payment of Wages M.G.L. Chapter 149, Section 148;

The law says when, what, and how employees must be

for all hours worked, including tips, earned vacation pay,

promised holiday pay, and earned commissions that are

days after the pay period ends, depending on how many

Hourly employees must be paid every week or every

other week (bi-weekly). The deadline to pay is 6 or 7

days an employee worked during one calendar week.

Employees who quit must be paid in full on the next

laid off must be paid in full on their last day of work.

Tips M.G.L. Chapter 149, Section 152A; M.G.L.

regular payday or by the first Saturday after they quit (if

there is no regular payday). Employees who are fired or

The hourly "service rate" applies to workers who provide

services to customers and who make more than \$20 a

The service rate is \$3.75 per hour. The average hourly

tips, plus the hourly service rate paid to the worker must

Managers, supervisors and owners must never take any

Tips and service charges listed on a bill must be given

only to wait staff, service bartenders, or other service

employees according to the services provided by each

Paystub Information M.G.L. Chapter 149, Section 148

employee, the date of payment (month, day, and year),

All employees must get a statement, at no cost, with

their pay that says the name of the employer and

Tip pooling is allowed only for wait staff, service

bartenders, and other service employees.

aside in the employee's savings account).

actual costs to the employee.

pay for the employer's ordinary business costs (for

the employee's job). An employer who requires an

employee to buy or rent a uniform must refund the

an employer can take from an employee's pay for

example: supplies, materials or tools needed for

paid. An employee's pay (or wages) includes payment

are exempt from overtime. For a complete list of

www.mass.gov/ago/fairlabor or call the Attornev

General's Fair Labor Division at (617) 727-3465.

III. SUNDAY and HOLIDAY PREMIUM PAY:

I. SERVICE RATE

Payroll Records M.G.L. Chapter 151, Section 15 Payroll records must include the employee's name,

> records at reasonable times and places. Sick Leave M.G.L. Chapter 149, Section 148C Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and they may earn and take up to 40 hours of sick leave a year. Employees begin accruing sick time on their first day of work. Employees must have access to their sick leave 90 days after starting work. Eligible employees may use their sick leave if they, their child, spouse, parent, or spouse's parent is: sick, injured, or has a routine medical appointment. They may also use sick leave for themselves or their child to

address the effects of domestic violence. Unless it is an emergency, employees must notify the employer before using sick leave Employees who miss more than 3 days in a row may need to provide their employer a doctor's note Paid Sick Leave Employers with 11 or more employees must provide paid sick leave. Employers with fewer than 11

employees must provide sick leave; however, it does not need to be paid. Learn more about sick leave at: www.mass.gov/ago/earnedsicktime Employers Must Not Discriminate M.G.L. Chapter

149, Section 105A; M.G.L. Chapter 151B, Section 4 Subject to certain limited exceptions, employers must not pay one employee less for doing the same or least 1.5 x the regular rate of pay for each hour worked comparable work as another employee of the opposite the overtime rate is 1.5 x the basic minimum wage, not They must not discriminate in hiring, pay or other compensation, or other terms of employment based on

> Religion, national origin, or ancestry •Sex (including pregnancy) Sexual orientation or gender identity or expression Genetic information or disability

Race or color

previous 12-month period

Reporting Pay 454 C.M.R. 27.04

Small Necessities Leave M.G.L. Chapter 149, Section In some cases, employees have the right to take up to 24 hours unpaid leave every 12 months for their: child's school activities •child's doctor or dentist appointment, or ·elderly relative's doctor or dentist appointments, or other appointments Employees are eligible for this leave if the employer has at least 50 employees and the employee has: been employed for at least 12 months by the employer •worked at least 1,250 hours for the employer during the

Most employees must be paid for 3 hours at no less than minimum wage if s/he is scheduled to work 3 or more hours, and reports to work on time, and is not given the expected hours of work Rights of Temporary Workers M.G.L. Chapter 149, To learn about rights of temporary workers and employees hired through staffing agencies, call: 617-626-6970 or go to: www.mass.gov/dols/

To learn about additional rights for workers who provide housekeeping, cleaning, childcare, cooking home management, elder care, or similar services in a household, go to www.mass.gov/ago/DW. **Public Works and Public Construction Workers** M.G.L. Chapter 149, Section 26-27H

Rights of Domestic Workers M.G.L. Chapter 149,

the number of hours worked during the pay period, the hourly rate, and all deductions or increases made 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 Pay Deductions M.G.L. Chapter 149, Section 148; 454 Standards based on the type of work performed. An employer cannot deduct money from an employee's Domestic Violence Leave M.G.L. Chapter 149, pay unless the law allows it (such as state and federal Section 52E

income taxes), or the employee asked for a deduction to he made for his/her own benefit (such as to put money are victims, of domestic violence, sexual assault. An employer cannot take money from an employee's for related needs, such as health care, counseling, and victims services; safe housing; care and custody of their The leave can be paid or unpaid depending on the The law also puts limits on when and how much money housing and meals the employer gives to the employee. Employees Have the Right to Sue

Hours Worked 454 C.M.R. 27.02 Hours worked or "working time" includes all time that an employee must be on duty at the employer's worksite or sue their employer as a group if they have similar other location, and works before or after the normal shift to complete the work.

Most employees who work more than 6 hours must get a 30-minute meal break. During their meal break, employees must be free of all duties and free to leave the workplace. If, at the request of the employer, an employee agrees to work or stay at the workplace during the meal break, s/he must get paid for that time.

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

Workplace Notice: State law requires all employers to post this notice at the workplace in a location

Section 16: 454 C.M.R. 27.01(1) Employees Under 18 - Child Labor M.G.L. Chapter 149, Sections 56 –105 All employers in Massachusetts must follow state and

Work Permits Required - Most workers under 18 must obtain a work permit. Employers must keep worksite. To get a work permit, the minor must

where s/he lives or goes to school. To learn more about getting a work permit, contact the Departmen of Labor Standards at (617) 626-6975, or www.mass.gov/dols. Dangerous Jobs & Tasks Minors Must Not Do Age 16 & 17 Must Not

 Drive most motor vehicles or forklifts Work at a job that requires that s/he have or use a •Use, clean or repair certain kinds of power-driven ·Handle, serve, or sell alcoholic beverages •Work 30 or more feet off of the ground

•Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NEICO broilers, or pressure cookers Operate, clean or repair power-driven food slicers. grinders, choppers, processors, cutters, and mixers Work in freezers or meat coolers Perform any baking activities ·Work in or near factories, construction sites, manufacturing plants, mechanized workplaces, garages, tunnels, or other risky workplaces

·Minors under 14 cannot work in Massachusetts in most These are just some examples of tasks prohibited under both state and federal law. For a complete

**Time & Schedule Restrictions for Minors** Age 16 & 17 Must not work

> racetrack. At any time: •More than 9 hours per day More than 48 hours per week More than 6 days per week

•During school hours

Employees who are victims, or whose family members stalking or kidnapping have the right to 15 days of leave

children; and legal help, protective orders, and going to employer's policy. This law applies to employers with 50 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

complaints. Employees who win their case will receive back pay, triple damages, attorneys' fees, and court costs. Important! There are strict deadlines for starting (July 1 – Labor Day), may work until 9 p.m.

the school day, up to 23 hours a week.

Contact the Attorney General's Fair Labor Division:

## **Fair Employment**

Massachusetts General Laws Chapter 151B from discrimination on the following bases: RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE, SEX, GENDER IDENTITY, SEXUAL ORIENTATION, GENETIC INFORMATION, ANCESTRY, MILITARY SERVICE employment on the basis of race, color, religion, national origin (including unlawful language proficiency requirements), age (if you are 40 years old or older), sex (including

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

employee's intention to return, at least eight (8) weeks of paid or unpaid leave for the purpose of childbirth, adoption of a child under 18, or adoption of a child under 23 years old if classification and other aspects of employment. Disability discrimination may include failing to reasonably accommodate an otherwise qualified person with a disability.

It is illegal to retaliate against any person because s/he has opposed any discriminatory practices or because s/he has filed a complaint, testified, or assisted in any proceeding 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

The law prohibits employers from asking applicants on an initial employment application for any criminal background information unless an exemption by statute or regulation 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

If you feel you have been harassed or discriminated against, you should immediately file a charge of discrimination with the Massachusetts Commission Against Discrimination,

Boston Office: 1 Ashburton Pl., Suite 601, Boston, MA 02108 - P: 617-994-6000 F: 617-994-6024 New Bedford Office: 800 Purchase St., Room 501, New Bedford, MA 02740 - P: 508-990-2390 F: 508-990-4260 Worcester Office: 484 Main St., Room 320, Worcester, MA 01608 - P: 508-453-9630 F: 508-755-3861

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/

## **Parental Leave Act**

Massachusetts Commission Against Discrimination

PARENTAL LEAVE

An Act Relative to Parental Leave expands the current maternity leave law, G.L. c. 149, § 105D, which is enforced by the Massachusetts Commission Against Discrimination (MCAD). Currently, Massachusetts law requires employers with six or more employees to provide eight weeks of unpaid maternity leave for the purpose of giving birth or for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption. The new law goes into effect on April 7, 2015 and expands the current leave law in the following ways: The parental leave law is now gender neutral. Both men and women are entitled to parental leave. If the employer agrees to provide parental leave for longer than 8 weeks, the

employer must reinstate the employee at the end of the extended leave unless it clearly informs the employee in writing before the leave and before any extension of that leave, that taking longer than 8 weeks of leave shall result in the denial of reinstatement or the loss of other rights and benefits. The law clarifies that the right to leave applies to employees who have completed an initial probationary period set by the terms of employment, but which is not greater than 3 onths. The law provides that if two employees of the same employer give birth to or adopt the same child. the two employees are entitled to an aggregate of 8 weeks of leave. The law clarifies that an employee seeking leave must provide at least 2 weeks' notice of the anticipated date of departure and the employee's intention to return, but also permits the employee to provide notice as soon as practicable if the delay is for reasons beyond the employee's control. The law clarifies that an employee on parental leave for the adoption of a child shall be entitled to the same benefits offered to an employee on leave for the birth of a child. The law expands the notice requirements, mandating that employers keep a posting in a conspicuous place describing the law's requirements and the employer's policies

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

## **Unemployment Insurance Coverage**

Information on Employees' Unemployment Insurance Coverage \_\_Employer DUA ID # : \_\_\_\_\_

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts employers. No deductions are made rom your salary to cover the cost of your Unemployment Insurance benefits. f 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) penefits. 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 You must be in the United States, its territories, or Canada when filing a claim or certifying for weekly UI benefits.

There are two ways to apply for UI Benefits:

JI Online is a secure, easy-to-use, self-service system. You can apply for benefits, reopen an existing claim, request weekly benefit payments, check your claim status, sign up for direct deposit, update your address, and even file an appeal online. To apply for benefits using UI Online, go to

www.mass.gov/dua, and select UI Online for Claimants, and complete the required information to submit your application.

Apply by calling the TeleClaim Center

Unemployment Insurance services are available by telephone. You can apply for Unemployment Insurance benefits, reopen a current claim, obtain up-to-date information on the status of your claim and benefit payment, resolve problems, and sign up for direct deposit — all by telephone. To apply for benefits by telephone, call the TeleClaim Center at I-877-626-6800 from area codes 351, 413, 508, 774, and 978; or 1-617-626-6800 from any other area code. You will be asked to enter your Social Security Number and the year you were born. You will then be connected to an agent who will take the information necessary to file your claim.

Note: During peak periods from Monday Security number is: Monday Tuesday

through Thursday, call scheduling may be implemented, providing priority for callers pased on the last digit of their Social Security Number. This helps ensure that you and 4. 5. 6 Wednesday others can get through to the TeleClaim 7, 8, 9 Thursday Center in a timely manner. Please check the schedule on the right before calling. Any last digit Friday



IMPORTANT: Massachusetts General Law, Chapter 151A, Section 62A requires that this notice be displayed at each site operated by an employer, in a conspicuous place, where it is accessible to all employees. It must include the name and mailing address of the employer, and the identification number assigned to the employer by the Department of Unemployment Assistance.

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. For hearing-impaired relay services, call 711. www.mass.gov/dua

The Commonwealth of Massachusetts Department of Labor Division of Occupational Safety

The RIGHT TO KNOW LAW, Chapter 111F of the Massachusetts General Laws, provides rights to Public Sector employees\* regarding the communication of information on toxic and hazardous substances. These rights include:

WORKPLACE NOTICE- A notice must be posted in a central location in the workplace informing employees of their rights under the law. The notice must be in the English language. In workplaces where employees' first language is other than English, the notice must be posted in that language. TRAINING- Employers must provide an annual training program to employees who work with toxic or hazardous substances. New employees must receive training within thirty

days from date of hire. The training program must be conducted by a competent person and may be in the form of verbal and/or written instruction. At a minimum, training must include an explanation of employee rights, information on how to read an MSDS, the specific hazards of the chemicals used, handled or stored in the workplace, the type of personal protective equipment to be worn, and information on labeling of hazardous substances. This training must be done with pay during the employee's normal work shift or

work hours. A record of this training must be maintained by the employer MATERIAL SAFETY DATA SHEET (MSDS)- The Material Safety Data Sheet is the document that provides information on each toxic or hazardous substance used or stored in the workplace. An employee or his or her designated representative has the right to obtain and examine the MSDS for any toxic or hazardous substance to which the employee is, has been, or may be", exposed, if the employee's request is made to the employer in writing. After four working days from the date the request is made, an employee can

refuse to work with the substance under two circumstances: 1. The employer fails to: (a) furnish the employee with the MSDS and (b) furnish the employee with proof that the employer has exercised diligent effort to obtain the MSDS, either through the manufacturer or through the Deputy Director of the Division of Occupational Safety, or,

2. The MSDS provided by the employer is incomplete or outdated.

LABELING- All containers in the workplace of more than five pounds or more than one gallon, containing toxic or hazardous substances, must be labeled with the chemical name of the substance. Containers of mixtures must be labeled with the chemical name of each toxic or hazardous constituent when the constituents comprise one percent or

more of the mixture. Containers must also be labeled with the appropriate National Fire Prevention Association (NFPA) symbol if available. Labels must be clear, prominent, in

rights granted under the Law, has one hundred eighty days following the violation of the Law or following the date on which he or she obtained knowledge that a violation occurred, to file a complaint with the Deputy Director of the Division of Occupational Safety. A copy of the complaint must be sent to the employer at the same time by certified NOTE- The employee rights listed above are further defined in Chapter 111F of the Massachusetts General Laws and the Code of Massachusetts Regulations 454 CMR 21.00.

> Division of Occupational Safety 1001 Watertown Street West Newton, MA 02465 Phone: 617-969-7177 Fax: 617-727-4581

All Right-to Know Inquiries should be addressed to

The minimum wage is \$12.00

\*Private sector employees in Massachusetts are covered by a similar regulation, the Hazard Communication Standard (29 CFR 1910.1200), enforced by the Federal Occupational Safety and Health Administration (OSHA 617-565-9860).

www.mass.gov/ago/fairlabor | www.massworkrights.com Office of Massachusetts | Attorney General | Maura Healey Meal Breaks a lawsuit. For most cases, the deadline is 3 years after M.G.L. Chapter 149. Sections 100 and 101

Employers Must Not Retaliate M.G.L. Chapter 149, Section 148A; M.G.L. Chapter 151, Section 19

It is against the law for an employer to punish or discriminate against an employee for making a complaint or trying to enforce the rights explained in this The laws explained in this poster apply to all

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 rights, the employer can be prosecuted and/or subject

where it can easily be read. M.G.L. Chapter 151,

federal laws for employees who are under 18 (minors) These laws say when, where, and how long minors may work. They also say what kinds of work or tasks minors

**list** of prohibited jobs for minors, contact the Attorney General's Fair Labor Division: (617) 727-3465 • www. mass.gov/ago/youthemployment. Or contact the U.S Department of Labor: (617) 624-6700 • www.youth.dol.

At night, from 10 p.m. to 6 a.m. (or past 10:15 if the employer stops serving customers at 10 p.m.) Exception: On non-school nights, may work until 11:30 p.m. or until midnight, if working at a restaurant or

At night, from 7 p.m. to 7 a.m. Exception: In summer During the School Year:\*

•More than 3 hours on any school day •More than 18 hours during any week •More than 8 hours on any weekend or holiday When school is not in session: •More than 8 hours on any day •More than 40 hours per week More than 6 days per week \*Exception: For school-approved career or experience building jobs, students may be allowed to work during

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

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

## Applicants to and employees of private employers with 6 or more employees\*, state and local governments, employment agencies and labor organizations are protected under

M.G.L. c. 151B protects applicants and employees from discrimination in hiring, promotion, discharge, compensation, benefits, training, classification and other aspects of 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

law also prohibits harassment based on the protected classes set forth above. The law requires employers to grant an employee who has completed an initial probationary period and has given two (2) weeks' notice of the anticipated date of departure and the 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,

before the Commission. It is also illegal to aid, abet, incite, compel or coerce any act forbidden under M.G.L. c. 151B, or attempt to do so.

i.e. race, color, etc. Domestic workers are also entitled to parental leave.

CRIMINAL HISTORY INQUIRIES

persons. An employment application may not seek information about an applicant's admission to such a facility. IF YOU HAVE BEEN DISCRIMINATED AGAINST An agreement with your employer to arbitrate your discrimination claim(s) does not bar you from filing a charge of discrimination.

The United States Equal Employment Opportunity Commission ("EEOC") One Congress Street, 10th Floor Boston, MA 02114, (617) 565-3200. The Massachusetts Commission Against Discrimination ("MCAD") Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108, 617) 994-6000. Springfield Office: 424 Dwight Street, Rm. 220, Springfield, MA 01103, (413) 739-2145.

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

HOW IS IT EARNED? Employees earn 1 hour of sick time for every 30 hours they work Employees can earn and use up to 40 hours per year if they work enough hours. Employees with unused earned sick time at the end of the year can rollover up to 40 hours.

Employees begin earning sick time on their first day of work and may begin using earned sick time 90 days after starting work. For employers with 10 or fewer employees, sick time may be unpaid Paid sick time must be paid on the same schedule and at the same rate as regular wages.

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? es. An employer can have their own sick leave or paid time off policy, so long as employees can use at least the

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

The Attorney General enforces the Earned Sick Time Law and regulations. It is unlawful to violate any provision of the Earned Sick Time Law. fiolations 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.

**Workers' Compensation** 

600 Washington Street, Boston, Massachusetts 02111 617-727-4900 - http://www.mass.gov/dia

As required by Massachusetts General Law, Chapter 152, Sections 21, 22 & 30, this will give you notice that I (we) have provided for payment to our injured employees under the

ADDRESS OF INSURANCE COMPANY NAME OF INSURANCE COMPANY POLICY NUMBER EFFECTIVE/DATES NAME OF INSURANCE AGENT/ADDRESS/PHONE #

MEDICAL TREATMENT The above named insurer is required in cases of personal injuries arising out of and in the course of employment to furnish adequate and reasonable hospital and medical services In the provisions of the workers. Compensation Act. A copy of the First Report of Injury must be given to the injured employee. The employee may be

No Smoking

**Smoke-Free Workplace Law By order of:** M.G.L. Chapter 270, Section 22

To any of these or you owed extra tax when you filed your last return, you may need

to file a new Form W-4. See your employer for a copy of Form W-4 or call the IRS

get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding

Employer: Please poster or publish this Bulletin Board Poster so that your employees

will see it. Please indicate where they can get forms and information on this subject.

at 1-800-829-3676. Now is the time to check your withholding. For more details,

Calculator at www.irs.gov/individuals on the IRS website.

HEALTH INSURANCE PROTECTION

**USERRA** • FOR USE BY PRIVATE SECTOR AND STATE GOVERNMENT EMPLOYERS • YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service

You have the right to be reemployed in your civilian job if you leave that job to perform • 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. • Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition you return to work or apply for reemployment in a timely manner after conclusion of exclusions) except for service-connected illnesses or injuries. **ENFORCEMENT** • The U.S. Department of Labor, Veterans Employment and Training Service (VETS)

> is authorized to investigate and resolve complaints of USERRA violations. • For assistance in filing a complaint, or for any other information on USERRA, contact VETS at 1-866-4-USA-DOL or visit its website at http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at http://www.dol.gov/elaws/userra.htm. • 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. 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 connection.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: http://www.dol.gov/vets/programs/userra/poster.htm. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.

Office of Special Counsel

t is the goal of the Commonwealth of Massachusetts to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or n other settings related to their employment is unlawful and will not be tolerated by the Commonwealth. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which nappropriate conduct will be dealt with, if encountered by employees. Because the Commonwealth of Massachusetts takes allegations of sexual harassment seriously, we will espond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and mpose such corrective action as is necessary, including disciplinary action where appropriate. Please note that while this policy sets forth our goals of promoting a workplace that s free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, egardless of whether that conduct satisfies the definition of sexual harassment.

**Sexual Harassment** 

U.S. Department of Justice

n Massachusetts, "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when

a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions. o) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, romotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or umiliating to male or female workers may also constitute sexual harassment. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness: Jnwelcome sexual advances -- whether they involve physical touching or not; \*Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life nment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; Displaying sexually suggestive objects, pictures, cartoons; \*Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments; Inquiries into one's sexual experiences; and, \*Discussion of one's sexual activities. The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for poperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Commonwealth of Massachusetts II. Complaints of Sexual Harassment f any Commonwealth employee believes that he/she has been subjected to sexual harassment, the employee has the right to file a complaint. This may be done in writing or orally. If you would like to file a complaint you may do so by contacting your agency's Sexual Harassment Officer. The Sexual Harassment Officer is also available to discuss any concerns you may have and to provide information to you about the Commonwealth's policy on sexual harassment and the Commonwealth's complaint process. The procedures or reporting sexual harassment can be located on the HRD website at or by contacting the Human Resources Division. V. Sexual Harassment Investigation When a state agency receives a complaint it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted by the Sexual Harassment

offended by such conduct. The harasser may be anyone including a supervisor, a co-worker, or a non-employee, such as a recipient of public services or a vendor.

Officer in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the omplaint and with witnesses. The Sexual Harassment Officer will also interview the person alleged to have committed sexual harassment. When the investigation is completed, he agency will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is mined that inappropriate conduct has occurred, the state agency will act promptly to eliminate the offending conduct, and where it is appropriate will impose disciplinary action f it is determined that an employee has engaged in inappropriate conduct, the state agency will take such action as is appropriate under the circumstances. Such action may range om counseling to termination from employment, and may include such other forms of disciplinary action deemed appropriate under the circumstances. addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth pelow. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300

days: MCAD - 300 days)

## **Earned Sick Time**

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

• If an employer has 11 or more employees, sick time must be paid.

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 notice of a proper use.

Employees using earned sick time cannnot be fired or otherwise retaliated against for exercising or attempting to exercise rights under the law. Examples of retaliation include: denying use or delaying payment of earned sick time, firing an employee, taking away work hours, or giving the employee undesirable NOTICE & VERIFICATION

Call the Fair Labor Division at 617-727-3465 • Visit <u>www.mass.gov/ago/earnedsicktime</u> Γhis notice is intended to inform. Full text of the law and regulations are available at <u>www.mass.gov/ago/earnedsicktime</u>

The Commonwealth of Massachusetts DEPARTMENT OF INDUSTRIAL ACCIDENTS

EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY)/DATE EMPLOYER/ADDRESS

related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the NAME OF HOSPITAL **ADDRESS** 

It is illegal to smoke in this establishment. Massachusetts

MAKING UNAUTHORIZED COPIES IS AGAINST THE LAW AND MAY SUBJECT YOU TO CIVIL AND CRIMINAL LIABILITY

own physician. The reasonable cost of the services provided by the treating physician will be paid by the insurer, if the treatment is necessary and reasonably connected to the work

**Right To Know Act** 

English and weather resistant. There are some exceptions to the labeling requirements for containers which are labeled in accordance with certain Federal laws.

Copies of the law and regulation can be obtained at the Statehouse Bookstore (Phone: 617-727-2834).

# CODE

above-mentioned chapter by insuring with:

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. Report to OSHA all work-related

Provide employees a workplace free from

recognized hazards. It is illegal to retaliate

against an employee for using any of their

fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.

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. FREE ASSISTANCE to identify and correct

using your rights. hazards is available to small and medium-See any OSHA citations issued to sized employers, without citation or penalty, your employer. through OSHA-supported consultation programs in every state.

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

**Contact OSHA. We can help.** 

**OVERTIME PAY** 

All workers have the right to:

Raise a safety or health concern with

Receive information and training on

Request an OSHA inspection of your

workplace if you believe there are unsafe

or unhealthy conditions. OSHA will keep

your name confidential. You have the

right to have a representative contact

Participate (or have your representative)

participate) in an OSHA inspection and

30 days (by phone, online or by mail)

if you have been retaliated against for

speak in private to the inspector.

■ File a complaint with OSHA within

substances in your workplace.

job hazards, including all hazardous

your employer or OSHA, or report a work-

related injury or illness, without being

A safe workplace.

retaliated against.

OSHA on your behalf.

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

violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when

or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

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

you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

RACE, COLOR, NATIONAL ORIGIN, SEX INDIVIDUALS WITH DISABILITIES

You cannot be retaliated against for exercising your rights under the law.

Think Your Rights Have Been Violated?

Attorney General's Office

civilrightscomplaint.

ALTERNATE

INDIVIDUALS WITH DISABILITIES

information about charge filing, is available at www.eeoc.gov.

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

Some state laws provide greater employee protections; employers must comply with both.

**Federal Minimum Wage** state minimum wage law are bligated to pay the higher rate 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 year

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 mother employee who is subject to the FLSA's overtime requirements in order for the employee to expres breast milk for her nursing child for one year after the child's birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

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

itigate 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 provision

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

1-866-487-9243 • TTY: 1-877-889-5627 • www.dol.gov/whd WAGE AND HOUR DIVISION • WAGE AND HOUR DIVISION • UNITED STATES DEPARTMENT OF LABOR

**Equal Employment Opportunity** 

• Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

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

old may work outside school hours in various non-manufacturing, non-mining, 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

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

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following base: Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship. DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge,

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion,

to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages

pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physic

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members. RETALIATION All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field

**Employers Holding Federal Contracts or Subcontracts** 

office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination 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. Executive Order 11246, as amended, protects applicants and employees 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 individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job

training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations

of an otherwise qualified individual with a disability who is an applicant or employee, 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 level DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS (PROTECTED VETERANS) The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative 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 Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

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

**Programs or Activities Receiving Federal Financial Assistance** 

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race,

color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance

s 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 activities which receive Federal financial assistance Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, 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 level

Employers generally may not prohibit you from talking about either your own wages or your coworkers' wages.

TO REORDER, CALL 1-888-488-7678 OR ORDER AT STATEANDFEDERALPOSTER,

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately

**Equal Pay Act** The Massachusetts Equal Pay Act, M.G.L. c. 149 § 105A, prohibits discrimination based on gender in the payment of wages. Your employer may not pay you less than it pays an employee of a different gender performing comparable work. "Comparable work" is work that requires substantially similar skill, effort, and responsibility, and is

The law permits differences in pay for comparable work only when based upon one or more of the following A seniority system, Production, sales, or revenue based systems of pay, The geographic location of the jobs, Job-related differences in education, training or experience Difference in travel required by the jobs, A merit system You Have Additional Rights • If you are applying for a new job, the employer may not ask you how much you have been paid in the past until after making you a job offer that includes compensation. Employers may not refuse to consider you for a job based on how much you earned in your last job.

Massachusetts Commission Against Discrimination If you believe an employer has intentionally discriminated against you based on your gender, you may also be able to file a complaint with the Massachusetts Commission Against Discrimination. For more information, call (617) 994-6000 or visit www.mass.gov/file-a-complaint-of-discrimination. Help Finding a Lawyer You also have the right to file a complaint in court. For help finding at attorney, contact the Massachusetts Bar Association's Lawyer Referral Service by calling (866) 627-7577 or visiting www.massbar.org/public/lawyer-referral-service.

www.mass.gov/ago/equalpay

#equalpayMA

File a complaint with the Civil Rights Division of the Attorney General's Office by calling us at (617) 963-2917 or by filing a complaint online at www.mass.gov/ago/

**Payday Notice** REGULAR PAYDAYS FOR EMPLOYEES OF: \_\_\_\_\_

**Emergency Notice** AMBULANCE: HOSPITAL:

**HAZARDOUS MATERIAL** State&FederalPoster



same amount of time, for the same reasons, and with the same job-protections as under the Earned Sick Time Law.