Massachusetts and Federal Employment Notices 2020

DATE POSTED: Labor Laws change often. Please call your distributor twice a year to confim if you are in compliance. I Rights Reserved. Unauthorized copies are ille

. BASIC MINIMUM WAGE:

January 1, 2019 \$12.00 per hour

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, 2022 \$6.15 per hour;

January 1, 2023 \$6.75 per hour

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

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.

regular payday or by the first Saturday after they guit (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 2019 service rate is \$4.35 per hour. The average

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

Tip pooling is allowed only for wait staff, service

partenders, and other service employees.

hourly tips, plus the hourly service rate paid to the

vorker must add up to \$12.00 (or more).

Employees who guit 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.

Chapter 151, Section 7

part of their employees' tips.

month in tips

emplovee

definitely determined, due and payable

I. SERVICE RATE

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

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

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 uppaid, job-protected leave in a 12-month period

PRODUCT ID:



The minimum wage is \$12.75 per hour as of January 1, 2020

Fair Labor Hotline: (617) 727-3465 | TTY (617) 727-4765 www.mass.gov/ago/fairlabor | www.massworkrights.com Office of Massachusetts | Attornev General | Maura Healev

Office of Massachusetts Attorney General Maura Healey	
Meal Breaks <i>M.G.L. Chapter 149, Sections 100 and 101</i> 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.	a lawsuit. For most cases, the deadline is 3 years after the violation. Employers Must <u>Not</u> Retaliate <i>M.G.L. Chapter 149,</i> <i>Section 148A; M.G.L. Chapter 151, Section 19</i> 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
Payroll Records <i>M.G.L. Chapter 151, Section 15</i> 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.	poster. The laws explained in this poster apply to all workers, regardless of immigration status, including undocumented workers. If an employer reports or threatens to report a worker to immigration authorities because the worker complained about a violation of rights, the employer can be prosecuted and/or subject to civil penalties.
Sick Leave <i>M.G.L. Chapter 149, Section 148C</i> 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	Workplace Notice: State law requires all employers to post this notice at the workplace in a location where it can easily be read. M.G.L. Chapter 151, Section 16; 454 C.M.R. 27.01(1)
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 Under 18 – Child Labor <i>M.G.L. Chapter 149, Sections 56 – 105</i> All employers in Massachusetts must follow state and federal laws for employees who are under 18 (minors). These laws say when, where, and how long minors may work. They also say what kinds of work or tasks minors must NOT do.
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.	Work Permits Required - Most workers under 18 must obtain a work permit. Employers must keep their minor workers' work permits on file at the worksite. To get a work permit, the minor must apply to the superintendent of the school district where s/he lives or goes to school. To learn more about getting a work permit, contact the Department of Labor Standards at (617) 626-6975, or www.mass.gov/dols.
Employers Must <u>Not</u> Discriminate <i>M.G.L. Chapter</i> <i>149, Section 105A; M.G.L. Chapter 151B, Section 4</i> Subject to certain limited exceptions, employers must not pay one employee less for doing the same or comparable work as another employee of the opposite sex. They must not discriminate in hiring, pay or other compensation, or other terms of employment based on a person's: •Race or color	 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 firearm Use, clean or repair certain kinds of power-driven machines Handle, serve, or sell alcoholic beverages Work 30 or more feet off of the ground
 Religion, national origin, or ancestry Sex (including pregnancy) Sexual orientation or gender identity or expression Genetic information or disability Age 	 14 & 15 Cook (except on electric or gas grills that do not have open flames), operate fryolators, rotisseries, NEICO broilers, or pressure cookers Operate, clean or repair power-driven food slicers,
Small Necessities Leave M.G.L. Chapter 149, Section 52D In some cases, employees have the right to take up to 24 hours unpaid leave every 12 months for their: •child's school activities, •child's doctor or dentist appointment, or •elderly relative's doctor or dentist appointments, or other appointments.	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
Employees are eligible for this leave if the employer has at least 50 employees and the employee has: •been employed for at least 12 months by the employer and	Under 14 •Minors under 14 cannot work in Massachusetts in most cases.
•worked at least 1,250 hours for the employer during the previous 12-month period. Reporting Pay 454 C.M.R. 27.04 Most employees must be paid for 3 hours at no less than minimum wage if s/he is scheduled to work 3 or more hours, and reports to work on time, and is not given the expected hours of work	These are just some examples of tasks prohibited under both state and federal law. For a complete list of prohibited jobs for minors, contact the Attorney General's Fair Labor Division: (617) 727-3465 • www. mass.gov/ago/youthemployment. Or contact the U.S. Department of Labor: (617) 624-6700 • www.youth.dol. gov

Rights of Temporary Workers M.G.L. Chapter 149, **Time & Schedule Restrictions for Minors** Age 16 & 17 Must not work To learn about rights of temporary workers and employees hired through staffing agencies, call: 617-

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

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

More than 6 days per weel

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 **III. SUNDAY and HOLIDAY PREMIUM PAY:** Premium pay for Sunday work 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 (now at 1.5 the regular hourly rate will be phased out as follows. January 1, 2019 1.4 times hourly rate 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: January 1, 2020 1.3 times hourly rate: January 1, 2021 1,2 times hourly rate: Have at least 1.250 hours of service in the 12 months before taking leave.* and January 1, 2022 1.1 times hourly rate: Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite January 1, 2023 1.0 times hourly rate. *Special "hours of service" requirements apply to airline flight crew employees. 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 notify the employer as soon as possible and, generally, follow the employer's usual procedures. Wage & Hour Laws Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave gualifies for FMLA protection. Minimum Wage 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 M.G.L. Chapter 151, Sections 1, 2, 2A, and 7 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 The minimum wage is \$12.00 In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all 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 employees, except: agricultural workers (\$8.00 per hour is the minimum 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 wage for most agricultural workers). 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 members of a religious order, workers being trained in certain educational, nonprofit 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. or religious organizations, and 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. outside salespeople 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 Overtime M.G.L. Chapter 151, Sections 1A and 1B Generally, employees who work more than 40 hours in any week must be paid overtime. Overtime pay is at least 1.5 x the regular rate of pay for each hour worked For additional information: 1-866-4-USWAGE (1-866-487-9243) TTY: 1-877-889-5627 www.dol.gov/whd over 40 hours in a week U.S. Department of Labor • Wage and Hour Division Updated 8/1 For some employees who get paid the "service rate," the overtime rate is 1.5 x the basic minimum wage, not he service rate. Exception: Under state law, some jobs and workplaces **Polygraph Protection** are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/ago/fairlabor or call the Attornev The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course General's Fair Labor Division at (617) 727-3465. Payment of Wages M.G.L. Chapter 149, Section 148; 454 C.M.R. 27.02 The law says when, what, and how employees must be

of employment PROHIBITIONS

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

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 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 workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer

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**

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 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**

IRS Withholding

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 actions.

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

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

YOU MAY NEED TO CHECK YOUR WITHHOLDING

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.

for the servicemember with a serious injury or illness

Have worked for the employer for at least 12 months;

written notice indicating what additional information is required.

he employer must provide a reason for ineligibilit

vas previously taken or certified

or medical leave rights.

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

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

For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job: For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent

for the following reasons

schedule

conditions

UNITED STATES DEPARTMENT OF LABOR







OSHA® Occupational Safety and Health Administration Job Safety and Health IT'S THE LAW!

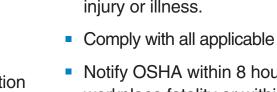
All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a workrelated injury or illness, without being retaliated against.

IOTE: OSHA REQUIRES THAT REPRODUCTIONS OR FACSIMILES OF THE POSTER BE AT LEAST 8.5" X 14" INCHES WITH 10 P

- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

This poster is available free from OSHA.



- workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

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

Provide employees a workplace free from

Employers must:

- recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a
- understand.

through OSHA-supported consultation

Contact OSHA. We can help.



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

Federal Minimum Wage Employers subject to the state minimum wage law are bligated to pay the higher rate \$7.25 PER HOUR BEGINNING JULY 24, 2009 The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY At least 11/2 times the regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR:

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 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.

TIP CREDI

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.

NURSING MOTHERS:

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.

ENFORCEMENT

The Department has authority to recover back wages and an equal amount in liguidated 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 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 FLSA.

ADDITIONAL INFORMATION:

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

Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico. Some state laws provide greater employee protections; employers must comply with both.

• 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 • 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

Equal Employment Opportunity is THE LAW

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

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

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, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physic or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

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 o women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment. GENETICS (GINA ACT)

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 liseases 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 an unlawful employment practice

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

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

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

Since you last filed Form W-4 with your employer did you... Marrv or divorce? Gain or lose a dependent? Change your name?

Were there major changes to ... Your nonwage income (interest dividend capital gains etc.)? Your family wage income (you or your spouse started or ended a job)? Your itemized deductions? Your tax credits?

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 at 1-800-829-3676. Now is the time to check your withholding. For more details, get Publication 919, How Do I Adjust My Tax Withholding?, or use the Withholding Calculator at www.irs.gov/individuals on the IRS website.

• 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

• Even if you don't elect to continue coverage during your military service, you have

• The U.S. Department of Labor, Veterans Employment and Training Service (VETS)

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

http://www.dol.gov/vets. An interactive online USERRA Advisor can be viewed at

If you file a complaint with VETS and VETS is unable to resolve it, you may request

· You may also bypass the VETS process and bring a civil action against an employer

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.

that your case be referred to the Department of Justice or the Office of Special

is authorized to investigate and resolve complaints of USERRA violations.

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

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.

HEALTH INSURANCE PROTECTION

ENFORCEMENT

dependents for up to 24 months while in the military.

VETS at 1-866-4-USA-DOL or visit its website at

http://www.dol.gov/elaws/userra.htm.

Counsel, as applicable, for representation.

for violations of USERRA.

exclusions) except for service-connected illnesses or injuries.

Updated 1

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 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.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and: • you ensure that your employer receives advance written or verbal notice of your

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

with that particular employer 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 conditions

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 cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

 are a past or present member of the uniformed service: • have applied for membership in the uniformed service; or are obligated to serve in the uniformed service; then an employer may not deny you: initial employment

reemployment; retention in employment;

promotion: or

any benefit of employment because of this status.

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 equirement by displaying the text of this notice where they customarily place notices for employees.



Sexual Harassment

Earned Sick Time

use at least the

RETALIATION

Earned Sick Time Law.

NOTICE & VERIFICATION

DO YOU HAVE QUESTIONS?

Introduction

It 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 in 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 inappropriate conduct will be dealt with, if encountered by employees. Because the Commonwealth of Massachusetts takes allegations of sexual harassment seriously, we will respond 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 impose 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 is 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, regardless of whether that conduct satisfies the definition of sexual arassment

I. Definition Of Sexual Harassment

WHO QUALIFIES?

and seasonal employees

time 90 days after starting work.

WHEN CAN IT BE USED?

HOW IS IT EARNED?

WILL IT BE PAID?

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

lecisions: or. b) such advances, requests or conduct have the purpose or effect of unreasonably nterfering with an individual's work performance by creating an intimidating, hostile,

umiliating or sexually offensive work environment 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, promotions, increased benefits, or continued employment constitutes sexual harassment. The legal definition of sexual harassment is broad and in addition to the ove examples other sexually oriented conduct whether it is in

conduct is directed. The complainant, regardless of gender, may be a witness to and personally 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 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 cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the Commonwealth of Massachusetts. III. Complaints of Sexual Harassment

If 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 you 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 for reporting sexual harassment can be located on the HRD vebsite at or by contacting the Human Resources Division. IV. 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 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 complaint and with witnesses. The Sexual Harassment Officer will also interview the person alleged to have committed sexual harassment. When the investigation is completed, the agency will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the result of that investigation. If it is determined 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

V. Disciplinary Action

CAN AN EMPLOYER HAVE A DIFFERENT POLICY?

or attempting to exercise rights under the law.

If 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 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 ent and may include such

Paystub Information M.G.L. Chapter 149, Section 148 home management, elder care, or similar services in a All employees must get a statement, at no cost, with household, go to www.mass.gov/ago/DW. 14 & 15 their pay that says the name of the employer and employee, the date of payment (month, day, and year), Public Works and Public Construction Workers At night, from 7 p.m. to 7 a.m. Exception: In summer M.G.L. Chapter 149, Section 26-27H he number of hours worked during the pay period, (July 1 – Labor Day), may work until 9 p.m. the hourly rate, and all deductions or increases made Workers who work on public construction projects and During the School Year:* certain other public work must be paid the prevailing •During school hours during the pay period. wage, a minimum rate set by the Department of Labor •More than 3 hours on any school day •More than 18 hours during any week Pay Deductions M.G.L. Chapter 149, Section 148; 454 Standards based on the type of work performed. C.M.R. 27.05 •More than 8 hours on any weekend or holiday 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 When school is not in session: Employees who are victims, or whose family members income taxes), or the employee asked for a deduction to •More than 8 hours on any day be made for his/her own benefit (such as to put money are victims, of domestic violence, sexual assault, •More than 40 hours per week aside in the employee's savings account). stalking or kidnapping have the right to 15 days of leave •More than 6 days per week An employer cannot take money from an employee's for related needs, such as health care, counseling, and *Exception: For school-approved career or experience pay for the employer's ordinary business costs (for victims services: safe housing: care and custody of their building jobs, students may be allowed to work during example: supplies, materials or tools needed for children; and legal help, protective orders, and going to the school day, up to 23 hours a week. the employee's job). An employer who requires an employee to buy or rent a uniform must refund the The leave can be paid or unpaid depending on the Adult Supervision Required After 8 p.m. - After 8 actual costs to the employee. employer's policy. This law applies to employers with 50 p.m., all minors must be directly supervised by The law also puts limits on when and how much money or more employees an adult who is located in the workplace and is an employer can take from an employee's pay for reasonably accessible. Exception: Adult supervision housing and meals the employer gives to the employee. Employees Have the Right to Sue is not required for minors working at a kiosk or Employees have the right to sue their employer for most stand in a common area of an enclosed shopping

given the expected hours of work

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

provide housekeeping, cleaning, childcare, cooking,

To learn about additional rights for workers who

Section 159C

Section 190

626-6970 or go to:

www.mass.gov/dols/

violations of wage and hour laws. Hours worked or "working time" includes all time that an Employees may sue as an individual or they may 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 complaints. Employees who win their case will receive back pay, triple damages, attorneys' fees, and court costs. Important! There are strict deadlines for starting

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

mall that has security from 8 p.m. until the mall

Contact the Attorney General's Fair Labor Division:

closes.

Fair Employment

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

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

HARASSMENT Sexual harassment includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to or rejection of such

advances, requests or conduct is made explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with a person's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. The law also prohibits harassment based on the protected classes set forth above. PARENTAL LEAVE

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

DISABILITY

Hours Worked 454 C.M.R. 27.02

to complete the work.

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. RETALIATION

It is illegal to retaliate against any person because s/he has opposed any discriminatory practices or because s/he has filed a complaint, testified, or assisted in any proceeding before the Commission. It is also illegal to aid, abet, incite, compel or coerce any act forbidden under M.G.L. c. 151B, or attempt to do so. DOMESTIC WORKERS

Updated 7/

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

CRIMINAL HISTORY INQUIRIES

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

MENTAL HEALTH FACILITY ADMISSION INQUIRIES

Employers may not refuse to hire or terminate an employee for failing to furnish information regarding his/her admission to a facility for the care and treatment of mentally ill persons An employment application may not seek information about an applicant's admission to such a facility. IF YOU HAVE BEEN DISCRIMINATED AGAINST

f you feel you have been harassed or discriminated against, you should immediately file a charge of discrimination with the Massachusetts Commission Against Discrimination, www.mcad.gov, at one of the offices below.

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

Boston Office: 1 Ashburton PI., Suite 601, Boston, MA 02108 - P: 617-994-6000 F: 617-994-6024 New Bedford Office: 800 Purchase St., Room 501, New Bedford, MA 02740 - P: 508-990-2390 F: 508-990-4260 Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 – P: 413-739-2145 F: 413-784-1056 Worcester Office: 484 Main St., Room 320, Worcester, MA 01608 – P: 508-453-9630 F: 508-755-3861

For more information, please see our website: www.mass.gov/mcad/

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.



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

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases: RACE, COLOR, RELIGION, SEX, 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. PAY SECRECY

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

INDIVIDUALS WITH DISABILITIES

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 ffirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive leve 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 badge veterans, or Armed Forces service medal veterans, RETALIATION

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. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediatel 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. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX INDIVIDUALS WITH DISABILITIES

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 INDIVIDUALS WITH DISABILITIES

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

Equal Pay Act

COMMONWEALTH OF MASSACHUSETTS The New Massachusetts 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 performed under similar working conditions.

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.

No Smoking

It is illegal to smoke in this establishment. Massachusetts Smoke-Free Workplace Law By order of: M.G.L. Chapter 270, Section 22

Payday Notice

REGULAR PAYDAYS FOR EMPLOYEES OF:	
SHALL BE AS FOLLOWS:	

TITLE:

• Employers generally may not prohibit you from talking about either your own wages or your coworkers' wages. You cannot be retaliated against for exercising your rights under the law.

Think Your Rights Have Been Violated?

Attorney General's Office 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/ civilrightscomplaint

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.

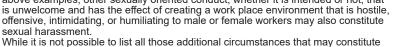
Help Finding a Lawyer

(FIRM NAME)

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



Updated 7/



sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances ncluding the severity of the conduct and its pervasiveness:

lcome 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; comment 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

EARNED SICK TIME Notice of Employee Rights

Beginning July 1, 2015, Massachusetts employees have the right to earn and take sick

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

ployees begin earning sick time on their first day of work and may begin using earned sick

• Employees with unused earned sick time at the end of the year can rollover up to 40 hours.

Paid sick time must be paid on the same schedule and at the same rate as regular wages

• 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

Sick time cannot be used as an excuse to be late for work without advance notice of a proper

· Use of sick time for other purposes is not allowed and may result in an employee being

Employees earn 1 hour of sick time for every 30 hours they 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.

The smallest amount of sick time an employee can take is one hour

Employees can earn and use up to 40 hours per year if they work enough hours.

other forms of disciplinary action deemed appropriate under the circumstances. VI. State and Federal Remedies

on from en

In 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 below. 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).

 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.

Yes. An employer can have their own sick leave or paid time off policy, so long as employees can

· Employees using earned sick time cannnot be fired or otherwise retaliated against for exercisin

• Examples of retaliation include: denying use or delaying payment of earned sick time, firing an

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

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

employee, taking away work hours, or giving the employee undesirable assignments.

their job, an employer may require documentation from a medical provider.

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

Call the Fair Labor Division at 617-727-3465 • Visit www.mass.gov/ago/earnedsicktime

same amount of time, for the same reasons, and with the same job-protections as under the

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 as to parental leave

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

Updated 5/15

Unemployment Insurance Coverage

Information on Employees' Unemployment Insurance Coverage

_Employer DUA ID # : ____

Address

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts employers. No deductions are made rom 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) 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 Unemployment Assistance (DUA)

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

There are two ways to apply for UI Benefits:

Apply by Using UI Online

UI Online is a secure, easy-to-use, self-service system. You can apply for benefits, reopen an existing claim, request weekly benefit payments, check your claim status, sign up for direct deposit, update your address, and even file an appeal online. To apply for benefits using UI Online, go to www.mass.gov/dua, 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 1-877-626-6800 from area codes 351, 413, 508, 774, and 978; or 1-617-626-6800 from any other area code. You will be asked to enter your Social Security Number and the year you were born. You will then be connected to an agent who will take the information necessary to file your claim. WALK-IN

If the last digit of your Social Security number is:	Assigned Day to Call Teleclaims is:	Note: During peak periods from Monday through Thursday, call scheduling may be
0, 1	Monday	implemented, providing priority for callers
2, 3	Tuesday	based on the last digit of their Social Security
4, 5, 6	Wednesday	Number. This helps ensure that you and 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	

ELE**CLAIM** W

30

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

Updated 6/16

Right To Know Act

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

Emergency Notice

NAME OF INSURANCE COMPANY

ADDRESS OF INSURANCE COMPANY

175

Updated 6

Notice of Benefits Available Under M.G.L. Chapter 175M Paid Family and Medical Leave **Job Protection** Beginning on October 1, 2019: Employers will deduct payroll contributions from a covered individual's wages or other earnings to fund PFML benefits.

Beginning on January 1, 2021:

Covered individuals may be entitled to up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from

• Covered individuals may be entitled to up to 12 weeks of paid family leave in a benefit year related to the birth, adoption, or foster care placement of a child, 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 in the Armed

orces. • Covered individuals may be entitled to up to 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member with a serious health condition

Beginning on July 1, 2021:

Covered individuals may be entitled to up to 12 weeks of paid family leave to care for a family member with a serious health condition

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.

Who is a Covered Individual Under the Law? Generally, a worker qualifies as a covered individual and may be eligible for paid

family and medical leave if:

•S/he is paid wages by a Massachusetts employer; or •S/he resides in Massachusetts and is paid for contract services by a Massachusetts entity that is required to report payment for services on IRS Form 1099-MISC for

nore than 50 percent of its workforce; or •S/he is a self-employed individual who resides in Massachusetts and chooses to

opt-in to the program.

Workers' Compensation

The Commonwealth of Massachusetts DEPARTMENT OF INDUSTRIAL ACCIDENTS 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 above-mentioned chapter by insuring with:

any provision of the Earned Sick Time Law. olations of any provision of the Earned Sick time law, M.G.L. c. 149, § 148C, or these equilations, 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 <u>www.mass.</u> gov/ago/earnedsicktime.

Paid Family and Medical Leave (MassPFML) Generally, an employee who has taken paid family or medical leave must be restored

to the employee's previous position or to an equal position, with the same status, pay, employment benefits, length-of-service credit, and seniority as of the date of

These job protections do not apply to contractors.

No Retaliation or Discrimination

Private Plans

Weekly Benefits To fund PFML benefits, employers will deduct payroll contributions from a covered individuals individual's wages or other earnings beginning on Oct. 1, 2019. Covered individuals can apply for benefits beginning in January 2021 through the Department of Family and Medical Leave. A covered individual's average weekly earnings will determine his or her benefit amount, for a maximum weekly benefit of up to \$850.

•It is unlawful for an employer to discriminate or retaliate against an employee for

•An employee or former employee who is discriminated or retaliated against for

exercising rights under the law may, not more than three years after the violation

If an employer offers employees paid family leave, medical leave, or both, with benefits that are at least as generous as those provided under the law, the employed may apply for an exemption from paying the contributions. Employees continue to b

otected from discrimination and retaliation under the law even when an employer

If you have questions or concerns about your Paid Family and Medical Leave rights, please contact:

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

occurs, institute a civil action in the superior court, and may be entitled to damages

exercising any right to which s/he is entitled under the law.

opts to provide paid leave benefits through a private plan.

MassPFML@Mass.gov or visit: https://www.mass.gov/DFML

of as much as three times his or her lost wages.



POLICY NUMBER EFFECTIVE/DATES	NAME OF INSURANCE AGENT/ADDRESS/PHONE #
EMPLOYER/ADDRESS	EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY)/DATE
MED	ICAL TREATMENT
	d in the course of employment to furnish adequate and reasonable hospital and medical services First Report of Injury must be given to the injured employee. The employee may select his or he

wn 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

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

I- An employee who believes he or she has been discharged, disciplined, or in any other manner discriminated against by an employer for exercising 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. Copies of the law and regulation can be obtained at theStatehouse Bookstore (Phone: 617-727-2834).

> All Right-to Know Inquiries should be addressed to: Division of Occupational Safety 1001 Watertown Street West Newton, MA 02465 Phone: 617-969-7177 Fax: 617-727-4581

ALL RIGHTS RESERVED, COPYRIGHT © 2020

*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).

NAME OF HOSPITAL

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

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