## MASSACHUSETTS

2 **MASSACHUSETTS & FEDERAL LABOR LAW POSTER** 

LaborLawCenter.com 1-800-745-9970 • Product ID: MA50

Compliance Code: MA-0825-F04 • Check Compliance By Scanning Here ►

leave and may request certification of a qualifying exigency. 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

State employees may be subject to certain limitations in pursuit of direct lawsuits

regarding leave for their own serious health conditions. Most federal and certain

What does my employer need to do? If you are eligible for FMLA leave, you

Continue your group health plan coverage while you are on leave on the same basis

Allow you to return to the same job, or a virtually identical job with the same pay, benefits

and other working conditions, including shift and location, at the end of your leave.

Your employer cannot interfere with your FMLA rights or threaten or punish you for

exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the

FMLA, your employer must confirm whether you are eligible or not eligible for FMLA

leave. If your employer determines that you are eligible, your employer must notify

Allow you to take job-protected time off work for a qualifying reason

How much of your requested leave, if any, will be FMLA-protected leave.

sional employees are also covered by the law but are subject to the jurisdiction

ater family or medical leave rights.

as if you had not taken leave, and

here can I find more information

employer must:

you in writing:

#### **EEOC - KNOW YOUR RIGHTS: WORKPLACE DISCRIMINATION IS ILLEGAL**

#### Know Your Rights: Workplace Discrimination is Illegal

The U.S. Equal Employment Opportunity Commission (EEOC) enforces Federal laws that protect you from discrimination in employment. If you believe you've been discriminated against at work or in applying for a job, the EEOC may be able to help.

| Who is Protected? • Employees (current and former), including managers  | <ul> <li>Retaliation for filing a charge, reasonably opposing<br/>discrimination, or participating in a discrimination</li> </ul> | <ul> <li>Conduct that might reasonably discourage someone<br/>from opposing discrimination, filing a charge, or</li> </ul> |
|---|---|--|
| and temporary employees<br>• Job applicants   | lawsuit, investigation, or proceeding<br>• Interference, coercion, or threats related to exercising                               | participating in an investigation or proceeding<br>• Conduct that coerces, intimidates, threatens, or interferes           |
| • Union members and applicants for membership in a union  | rights regarding disability discrimination or pregnancy   | with someone exercising their rights, or someone   |
| What Organizations are Covered?   | accommodation   | assisting or encouraging someone else to exercise  |
| <ul> <li>Most private employers</li> <li>State and local governments (as employers)</li> </ul>  | What Employment Practices can be Challenged as<br>Discriminatory? All aspects of employment, including:                           | rights, regarding disability discrimination (including accommodation) or pregnancy accommodation                           |
| Educational institutions (as employers)   | Discharge, firing, or lay-off   | What can You Do if You Believe Discrimination has  |
| • Unions  | <ul> <li>Harassment (including unwelcome verbal or</li> </ul>   | Occurred? Contact the EEOC promptly if you suspect   |
| Staffing agencies     What Types of Employment Discrimination are Illegal?  | physical conduct)   | discrimination. Do not delay, because there are strict time limits for filing a charge of discrimination (180 or 300       |
| Under the EEOC's laws, an employer may not discriminate   | Hiring or promotion     Assignment  | days, depending on where you live/work). You can reach   |
| against you, regardless of your immigration status, on the  | <ul> <li>Pay (unequal wages or compensation)</li> </ul>   | the EEOC in any of the following ways:   |
| bases of:   | Failure to provide reasonable accommodation for a   | Submit an inquiry through the EEOC's public portal:  |
| • Race<br>• Color   | disability; pregnancy, childbirth, or related medical<br>condition; or a sincerely-held religious belief,                         | https://publicportal.eeoc.gov/Portal/Login.aspx  |
| Religion  | observance or practice  | Call 1–800–669–4000 (toll free)<br>1–800–669–6820 (TTY)  |
| National origin   | • Benefits  | 1–844–234–5122 (ASL video phone)   |
| <ul> <li>Sex (including pregnancy, childbirth, and related medical<br/>conditions, sexual orientation, or gender identity)</li> </ul> | • Job training<br>• Classification  | Visit an EEOC field office (information at   |
| • Age (40 and older)  | Referral  | www.eeoc.gov/field-office)   |
| Disability  | Obtaining or disclosing genetic information   | E-Mail info@eeoc.gov   |
| Genetic information (including employer requests for,   | of employees  | Additional information about the EEOC,   |
| or purchase, use, or disclosure of genetic tests, genetic services, or family medical history)  | <ul> <li>Requesting or disclosing medical information<br/>of employees</li> </ul>   | including information about filing a charge of discrimination, is available at <i>www.eeoc.gov</i> .                       |

#### EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

The Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) Protected Veteran Status The Vietnam Era Veterans' Readjustment Assistance Act of enforces the nondiscrimination and affirmative action commitments of companies 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and doing business with the Federal Government. If you are applying for a job with, or are requires affirmative action to recruit, employ, and advance in employment, disabled an employee of, a company with a Federal contract or subcontract, you are protected veterans, recently separated veterans (i.e., within three years of discharge or release under Federal law from discrimination on the following bases: Race, Color, Religion, Sex, Sexual Orientation, Gender Identity, National Origin Executive Order 11246, as service medal veterans. Retaliation Retaliation is prohibited against a person who files a amended, prohibits employment discrimination by Federal contractors based on race, complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes color, religion, sex, sexual orientation, gender identity, or national origin, and requires discrimination by Federal contractors under these Federal laws. Any person who believe affirmative action to ensure equality of opportunity in all aspects of employment. a contractor has violated its nondiscrimination or affirmative action obligations under Asking About, Disclosing, or Discussing Pay Executive Order 11246, as amended, protects applicants and employees of Federal contractors from discrimination based on The Office of Federal Contract Compliance Pro The Office of Federal Contract Compliance Programs (OFCCP) inquiring about, disclosing, or discussing their compensation or the compensation of U.S. Department of Labor other applicants or employees. **Disability** Section 503 of the Rehabilitation Act of 1973, as amended, protects gualified individuals with disabilities from discrimination in hiring, 200 Constitution Avenue, N.W Washington, D.C. 20210 promotion, discharge, pay, fringe benefits, job training, classification, referral, and other 1-800-397-6251 (toll-free) aspects of employment by Federal contractors. Disability discrimination includes not If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access naking reasonable accommodation to the known physical or mental limitations of an telecommunications relay services. OFCCP may also be contacted by submitting otherwise qualified individual with a disability who is an applicant or employee, barring a question online to OFCCP's Help Desk at <u>https://ofccphelpdesk.dol.gov/s/</u>, or by undue hardship to the employer. Section 503 also requires that Federal contractors take calling an OFCCP regional or district office, listed in most telephone directories iffirmative action to employ and advance in employment qualified individuals with under U.S. Government, Department of Labor and on OFCCP's "Contact Us" webpage disabilities at all levels of employment, including the executive level. at https://www.dol.gov/agencies/ofccp/contact

#### PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Race, Color, National Origin, Sex In addition to the protections of Title VII of the Civil Individuals with Disabilities Section 504 of the Rehabilitation Act of 1973, as Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, amended, prohibits employment discrimination on the basis of disability in any prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by prohibited in all aspects of employment against persons with disabilities who, with or Title VI if the primary objective of the financial assistance is provision of employment, without reasonable accommodation, can perform the essential functions of the job. If or where employment discrimination causes or may cause discrimination in providing you believe you have been discriminated against in a program of any institution which services under such programs. Title IX of the Education Amendments of 1972 prohibits receives Federal financial assistance, you should immediately contact the Federal employment discrimination on the basis of sex in educational programs or activities agency providing such assistance. which receive Federal financial assistance (Revised 6/27/2023)

#### **ANTI-DISCRIMINATION NOTICE**

It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify

- which document(s) they will accept from an employee. The refusal to hire an individual
- because the documents have a future expiration date may also constitute illegal

discrimination. For information, please contact The Office of Special Counsel for Immigration Related Unfair Employment Practices Office at 800-255-7688.

#### MASSACHUSETTS MINIMUM WAGE

## **Massachusetts Wage & Hour Laws**

#### **UNEMPLOYMENT INSURANCE**

Information on Employees' **Unemployment Insurance Coverage** 

 $\star \star \star \star \star \star$ 

Employer DUA ID #

 $\star \star \star \star \star \star$ 

#### Employer's Address

Employer's Name

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Employees of this business or organization are covered by Unemployment Insurance (UI), a program financed entirely by Massachusetts employers. No deductions are made from your salary to cover the cost of your Unemployment Insurance benefits.

If you lose your job, you may be entitled to collect Unemployment Insurance. Outlined below is the information you need in order to apply for Unemployment Insurance (UI) benefits. Your employer must give you a copy of the pamphlet: How to File a Claim for Unemployment Insurance Benefits, within 30 days of your last day of work. This pamphlet is provided to your employer 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 online at mass.gov/unemployment-insurance-ui-for-workers



To file a claim online, you must create a MyMassGov personal account at mass.gov/how-to/register-for-a-mymassgov-personalaccount. Then go to the Unemployment Services website at https://unemployment.mass.gov/Claimants/ / and login using your MyMassGov account. Unemployment Services for Workers 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 online, visit mass.gov/unemployment-insurance-ui-for-workers, and complete the required information to submit your application.

#### Apply by calling the TeleClaim Center

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

| This document contains important<br>information. Please have it translated<br>immediately.  | Questo documento contiene informazioni<br>importanti. La preghiamo di tradurlo<br>inmediatamente.                                   | ເອກະສານສະບັບນີ້ ບັນຈຸຂໍ້ມູນອັນສຳຄັນ.<br>ກະລຸນາເອົາເອກະສານສະບັບນີ້ໄປແປອອກ   | 此文件含有重要信息。<br>請立即找人翻譯。                                     |
|---|---|--|--|
| В данном документе содержится важная<br>информация. Вам необходимо срочно<br>сделать перевод документа.   | Este documento contém informações<br>importantes. Por favor, traduzi-lo<br>imediatamente.   | ຢ່າງບໍ່ລໍຊັ່າ.<br>ឯកសារនេះមាននូវព័ត៌មានដ៏សំខាន់ ។  | تحتوي هذه الوثيقة على معلومات هامة.<br>يرجى ترجمتها فورًا. |
| Este documento contiene información<br>importante. Por favor, consiga una traducción<br>inmediatamente.<br>Tài liệu này có chứa thông tin quan trọng.<br>Vui lòng dịch tài liệu này ngay. | Docikman sa gen enfòmasyon enpòtan.<br>Tanpri fè yon moun tradwi l touswit.<br>본 문서에는 중요한 정보가 포함되어<br>있습니다. 본 문서를 즉시 번역하도록<br>하십시오. | ស៊ូមបកប្រៃវ៉ាជាបន្ទាន់ ។<br>Ce document contient des informations<br>importantes. Veuillez le faire traduire<br>au plus tôt. |  |

IMPORTANT: Massachusetts General Law, Chapter 151A, Section 62A requires that this notice be displayed at each site operated by an employer, ir 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.

Form 2553-A Rev. 4/25/25

#### **NO SMOKING NOTICE**

## **NO SMOKING**

#### It is illegal to smoke in this establishment.

To report a violation, contact the Massachusetts Department of Public Health at 1-800-992-1895 Massachusetts Smoke-Free Workplace Law By order of: M.G.L. Chapter 270, Section 22

PAYDAY NOTICE

#### FMLA - FAMILY AND MEDICAL LEAVE ACT

#### Your Employee Rights Under the Family and Medical Leave Act

**/hat is FMLA leave?** The Family and Medical Leave Act (FMLA) is a federal law that You **do** <u>not</u> **have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. provides eligible employees with job-protected leave for qualifying family and medical You must also inform your employer if FMLA leave was previously taken or sons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the -MLA for most employees. approved for the same reason when requesting additional leave. Your employer may request certification from a health care provider to verify medical

ligible employees can take up to 12 workweeks of FMLA leave in a 12-month period for: The birth, adoption or foster placement of a child with you, Your serious mental or physical health condition that makes you unable to work,

To care for your spouse, child or parent with a serious mental or physical health ondition, and

Certain gualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember

eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA eave in a single 12-month period to care for the servicemember. of the U.S. Office of Personnel Management or Congress.

You have the right to use FMLA leave in one block of time. When it is medically necessary or otherwise permitted, you may take FMI A leave **intermittently in separate** blocks of time, or on a reduced schedule by working less hours each day or week.

Read Fact Sheet #28M(c) for more information FMLA leave is not paid leave, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the

eason for which you need FMLA leave

Am I eligible to take FMLA leave? You are an eligible employee if <u>all</u> of the following apply:

You work for a covered employer,

You have worked for your employer at least 12 months, You have at least 1,250 hours of service for your employer during the 12 months before

your leave, and Your employer has at least 50 employees within 75 miles of your work location. Airline flight crew employees have different "hours of service" requirements.

ou work for a **covered employer** if **<u>one</u> of the following applies:** 

You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,

You work for an elementary or public or private secondary school, or ou work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of

Personnel Management. low do I request FMLA leave? Generally, to request FMLA leave you must Follow your employer's normal policies for requesting leave, Give notice at least 30 days before your need for FMLA leave, or

If advance notice is not possible, give notice as soon as possible



### MASSACHUSETTS PAID FAMILY AND MEDICAL LEAVE

#### Notice of Benefits Available Under M.G.L. Chapter 175M Paid Family and Medical Leave (PFML)

#### **Available Leave**

<u>mass.gov/dua</u>

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

up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from work.

up to 12 weeks of paid family leave in a benefit year related to the birth, adoption, or foster care placement of a child, to care for a family member with a serious health condition, or because of a qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces.

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.

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. Benefits

To fund PFML benefits, employers may deduct payroll contributions of up to 0.46% (adjusted annually) from a covered individual's wages or other earnings. A covered individual's average weekly earnings will determine his or her benefit amount, for a maximum weekly benefit of up to \$1,170.64 (adjusted annually).

#### Who is a Covered Individual Under the Law?

- Generally, a worker qualifies as a covered individual eligible for PFML benefits if they are:
- covered by unemployment insurance in Massachusetts and paid wages by a Massachusetts employer; or
- a self-employed individual who resides and works in Massachusetts and chooses to opt-in to the program; and
- has earned at least 30 times the expected benefit and at least \$6,300 (adjusted annually) in the last four completed quarters preceding the application for benefits

#### Job Protection

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

Employers must provide for, contribute to, or otherwise maintain the employee's employment-related health insurance benefits, if any, at the level and under the conditions coverage would have been provided if the employee had continued working continuously for the duration of such leave.

Health Insurance

Private Plans

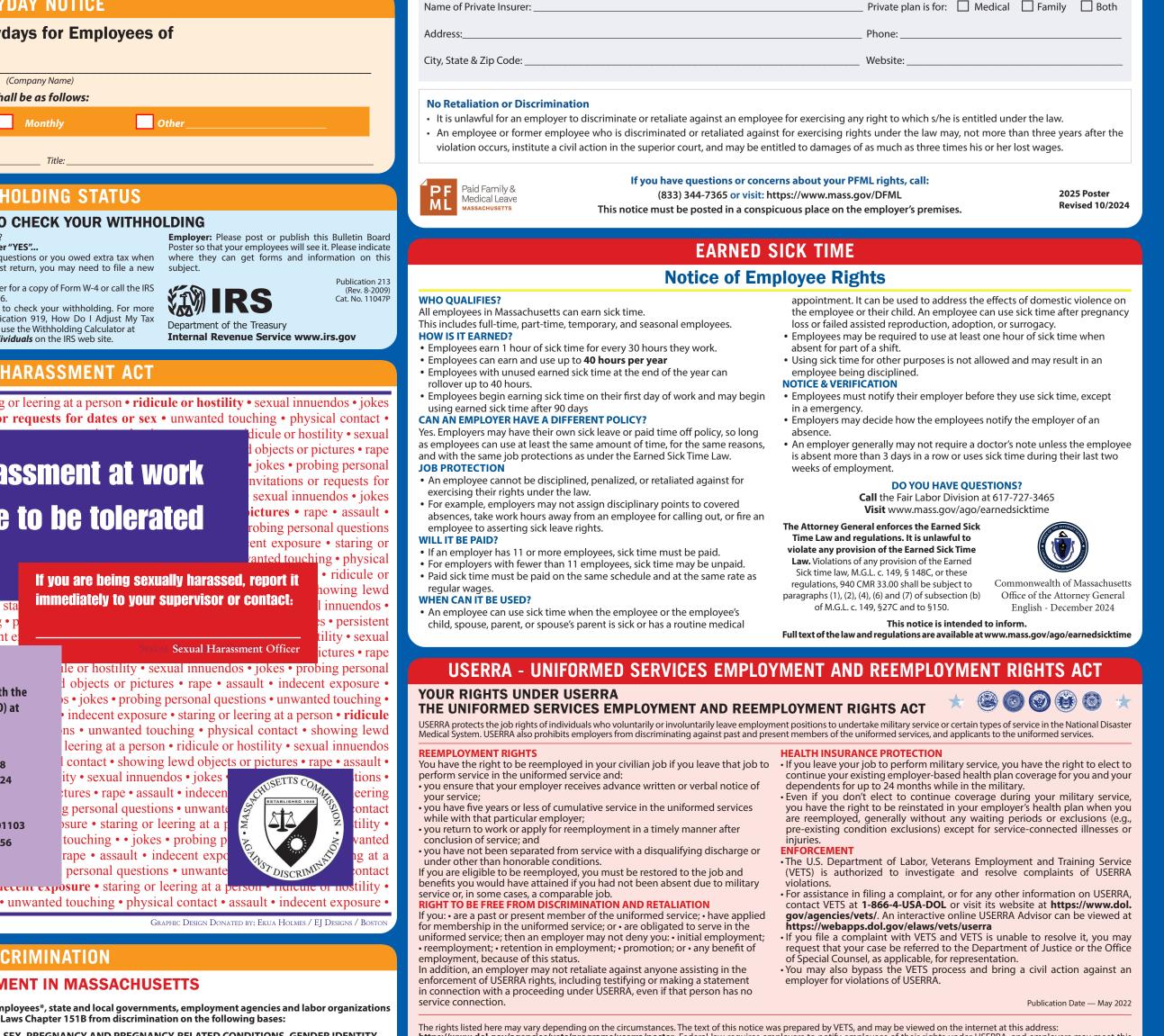
If an employer offers employees paid family leave, medical leave, or both, with benefits that are at least as generous as those provided under the law, the employer may apply for an exemption from paying the contributions. Employees continue to be protected from discrimination and retaliation under the law even when an employer opts to provide paid leave benefits through a private plan.





About your FMLA rights and responsibilities, and





https://www.dol.gov/agencies/vets/programs/userra/poster. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees



U.S. Department of Labor 1-866-487-2365

U.S. Department of Justice Office of Special Counsel Employer Support Of The Guard And Reserve 1-800-336-4590

they work, and they may earn and take up to 40 hours of sick leave a year. to report a worker to immigration authorities because the worker complained Employees begin accruing sick time on their first day of work. Employees must about a violation of rights, the employer can be prosecuted and/or subject have access to their sick leave 90 days after starting work. to civil penalties.

#### Employees Under 18 – Child Labor M.G.L. Chapter 149, Sections 56–105 All employees 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. 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 the minor lives or goes to school. To learn more about getting a work permit, contact the Department of Labor Standards at (617) 626-6975, or www.mass.gov/dols. **Dangerous Jobs & Tasks Minors Must Not Do Time & Schedule Restrictions for Minors** Age Must Not Age Must Not 16 & 17 • Drive most motor vehicles or forklifts • Handle, serve, or sell 16 & 17 At **night**, from 10 p.m. to 6 a.m. (or • More than **9 hours** per day • Work at a job that requires that the past 10:15 if the employer stops More than 48 hours per week alcoholic beverages serving customers at 10 p.m.) • More than **6 days** per week employee have or use a firearm Work 30 or more feet off of Exception: On non-school nights, may • Use, clean or repair certain kinds of the ground work until 11:30 p.m. or until midnight nower-driven machines if working at a restaurant or racetrack 14 & 15 • Cook (except on electric or gas Work in freezers or meat coolers 14 & 15 At night, from 7 p.m. to 7 a.m. Exception: In summer (July 1 – Labor Day), grills that do not have open flames). Perform any baking activities may work until 9 p.m operate frvolators, rotisseries, NIFCO Work in or near factories,

**During the School Year:**\* When school is not in session: construction sites, manufacturing During school hours plants, mechanized workplaces, garages, tunnels, or other risky workplaces More than 8 hours on any weekend Under 14 • Minors under 14 cannot work in Massachusetts in most cases. or holidav \*Exception: For school-approved career or experience-building jobs, students may be

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

• More than **8 hours** on any day • More than 3 hours on any school day • More than 40 hours per week • More than **18 hours** during any week • More than **6 days** per week allowed to work during the school day, up to 23 hours a week. 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 iosk or stand in a common area of an enclosed shopping mall that has security from 8 p.m. until the mall closes.

(?) Contact the Attorney General's Fair Labor Division: (617) 727-3465 – www.mass.gov/ago/fairlabor Rev. 06/202

SHALL CONTINUE TO APPLY

#### FACT SHEET ON PARENTAL LEAVE

**Massachusetts Commission Against Discrimination NOTICE: PARENTAL LEAVE IN MASSACHUSETTS** 

Issued: May 17, 2023

PURSUANT TO M.G.L. C. 151B, § 4(11A) AND C. 149, § 105D EVERY EMPLOYEE AND BOTH EMPLOYEES AND DOMESTIC WORKERS ARE ENTITLED TO RETURN TO THE SAME OR A DOMESTIC WORKER IS ENTITLED AS A MATTER OF LAW TO AT LEAST EIGHT WEEKS SIMILAR POSITION WITHOUT LOSS OF EMPLOYMENT BENEFITS FOR WHICH THEY WERE PARENTAL LEAVE FOR THE PURPOSE OF GIVING BIRTH OR ADOPTION OF A CHILD. ELIGIBLE ON THE DATE THE LEAVE COMMENCED. IF THEY TERMINATE PARENTAL LEAVE WITHIN EIGHT WEEKS. THE GUARANTEE OF A SAME OR SIMILAR POSITION IS SUBJECT TO CERTAIN EMPLOYEES ARE ELIGIBLE IF THEY COMPLY WITH THE FOLLOWING CONDITIONS:

. THE EMPLOYEE IS EMPLOYED ON A FULL-TIME BASIS

broilers, or pressure cookers

food slicers, grinders, choppers,

processors, cutters, and mixers

Operate, clean or repair power-driven

. THE EMPLOYEE HAS COMPLETED AN INITIAL PROBATIONARY PERIOD SET BY THE EMPLOYER WHICH DOES NOT EXCEED THREE MONTHS OR, IN THE EVENT THE DISABILITIES. ANY EMPLOYER POLICY OR COLLECTIVE BARGAINING AGREEMENT WHICH EMPLOYER DOES NOT UTILIZE A PROBATIONARY PERIOD FOR THE POSITION IN QUESTION, HAS BEEN EMPLOYED FULL TIME FOR AT LEAST THREE CONSECUTIVE MONTHS; AND,

. GIVES TWO WEEKS' NOTICE OF THE ANTICIPATED DEPARTURE DATE AND NOTICE THAT THEY INTEND TO RETURN TO THE JOB, OR PROVIDE NOTICE AS SOON AS IS PRACTICABLE IF THE DELAY IS FOR REASONS BEYOND THE INDIVIDUAL'S CONTROL

TO BE FULL TIME OR COMPLETE AN INITIAL PROBATIONARY PERIOD.

EXCEPTIONS SPECIFIED IN M.G.L. C. 149, § 105D ACCRUED SICK LEAVE BENEFITS SHALL BE PROVIDED FOR PARENTAL LEAVE PURPOSES UNDER THE SAME TERMS AND CONDITIONS WHICH APPLY TO OTHER TEMPORARY MEDICAL

IF THE EMPLOYER PROVIDES PARENTAL LEAVE FOR LONGER THAN EIGHT WEEKS, THE EMPLOYER SHALL NOT DENY THE EMPLOYEE OR DOMESTIC WORKER THE RIGHT TO RETURN TO WORK UNLESS THE EMPLOYER CLEARLY INFORMS THE EMPLOYEE OR DOMESTIC WORKER, IN VRITING, PRIOR TO THE COMMENCEMENT OF LEAVE AND PRIOR TO ANY SUBSEQUENT DOMESTIC WORKERS MUST PROVIDE TWO WEEKS' NOTICE BUT ARE NOT REQUIRED EXTENSION OF LEAVE THAT TAKING LONGER THAN EIGHT WEEKS OF LEAVE SHALL RESULT IN THE DENIAL OF REINSTATEMENT OR THE LOSS OF OTHER RIGHTS AND BENEFITS

#### FEDERAL MINIMUM WAGE

#### **EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT**

## FEDERAL MINIMUM WAGE \$7.25 BEGINNING JULY 24, 2009

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

**OVERTIME PAY** At least 1 ½ times your 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 years 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 CREDIT** 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.

overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA's child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA. ADDITIONAL INFORMATION • Certain occupations and establishments are exempt from the minimum

wage, and/or overtime pay provisions. Certain narrow exemptions also apply to the pump at work requirements. 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"

on and other aspects of employment on the basis of race, colo religion, disability, national origin (including unlawful language proficiency requirements), age (if you are 40 years old or older), sex, pregnancy or a condition related to pregnancy, gender identity, sexual orientation, genetic information, ancestry, and military service. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose an undue hardship.

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.

**PREGNANCY** The Pregnant Workers Fairness Act prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child, and describes employers' obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive.

**PARENTAL LEAVE** The law requires employers to grant an employee who has completed an initial probationary period and has given two (2)weeks' notice of the anticipated date of departure and the employee's intention to return, at least eight (8) 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 M.G.L. c. 151B prohibits discrimination the basis of disability, a record of disability or perceived disability, in hiring, promotion, discharge,

MCAD Boston Office: 1 Ashburton Pl., Suite 601, Boston, MA 02108 – P: 617-994-6000 F: 617-994-6024 MCAD Springfield Office: 436 Dwight St., Room 220, Springfield, MA 01103 - P: 413-739-2145 F: 413-784-1056 MCAD Worcester Office: 18 Chestnut St., Room 520, Worcester, MAO 1608 I Phone: 508-453-9630 Fax: 508-755-3861 For more information, please see our website: www.mass.gov/mcad/

#### EMPLOYEE POLYGRAPH PROTECTION ACT

#### EMPLOYEE RIGHTS | EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private provision of any State or local law or any collective bargaining employers from using lie detector tests either for pre- agreement which is more restrictive with respect to lie detector employment screening or during the course of employment. tests

**EXAMINEE RIGHTS** Where polygraph tests are permitted, they are **PROHIBITIONS** Employers are generally prohibited from requiring or subject to numerous strict standards concerning the conduct and requesting any employee or job applicant to take a lie detector test, and length of the test. Examinees have a number of specific rights, from discharging, disciplining, or discriminating against an employee or including the right to a written notice before testing, the right to prospective employee for refusing to take a test or for exercising other refuse or discontinue a test, and the right not to have test results rights under the Act. disclosed to unauthorized persons.

**EXEMPTIONS** Federal, State and local governments are not affected **ENFORCEMENT** The Secretary of Labor may bring court actions to by the law. Also, the law does not apply to tests given by the Federal restrain violations and assess civil penalties against violators. Government to certain private individuals engaged in national Employees or job applicants may also bring their own court actions. security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER restrictions, to certain prospective employees of security service WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT. firms (armored car, alarm, and guard), and of pharmaceutical



## WORKERS' COMPENSATION

THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF INDUSTRIAL ACCIDENTS **IF YOU ARE INJURED ON THE JOB:** 

Immediately notify your employer that you have been injured.

Employer HR/Workers' Compensation Contact:

• If the employer fails to report the injury to the insurer, the employee may file an Employee's Claim (Form 110).

• Additional information regarding your rights and eligibility for benefits pursuant the Workers' Compensation law may be obtained by contacting the Department of Industrial Accidents at 617.727.4900 or visiting <u>www.mass.gov/dia</u>.

#### **IF MEDICAL TREATMENT IS NEEDED:**

#### **RETALIATION** It is illegal to retaliate against any person because they have opposed any discriminatory practices or because they have 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 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 exists. MENTAL HEALTH FACILITY ADMISSION INQUIRIES Employers may not

refuse to hire or terminate an employee for failing to furnish information regarding their 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 If you feel you have been harassed or discriminated against, you should immediately file a charge of discrimination with the Massachusetts Commission Against Discrimination, (mass.gov/MCAD), 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.

related injury or illness, without being retaliated against.

Revised June 2024

Receive information and training on job hazards, including all hazardous substances in your workplace.

Raise a safety or health concern with

your employer or OSHA, or report a work-

- 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.

## **OSHA - THE OCCUPATIONAL SAFETY AND HEALTH ACT**



All workers have the right to:

A safe workplace.

# Job Safety and Health IT'S THE LAW!

#### **Employers must:**

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

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



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 economic loss to the employer. The law does not preempt any

NOTICE TO EMPLOYEES

Address

Address

• Tell the medical provider that you have been injured at work and give the information below

Insurance Carrier

Phone Number

Rev. 4/17/2025

Phone Number

Employer:

PROVIDES FOR GREATER OR ADDITIONAL BENEFITS THAN THOSE OUTLINED IN THIS NOTICE

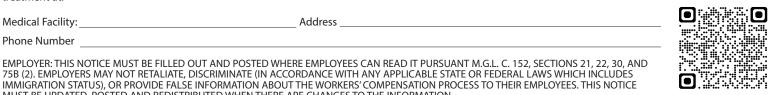
**PUMP AT WORK** The FLSA requires employers to provide reasonable break time for a nursing employee to express breast milk for her nursing child for one year after the child's birth each time the employee needs to express breast milk. Employers must provide a place, other than a bathroom, that is shielded 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 liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or

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.

|  |  | WAGE AND HOUR DIVISION<br>UNITED STATES DEPARTMENT OF LABOR | ≋WH₽                |
|--|--|---|---------------------|
|  |  | 1-866-487-9243<br>www.dol.gov/agencies/whd                  | WH1088<br>REV 04/23 |

Injured workers may select their own medical provider. Medical treatment costs that are reasonable, necessary, and related to the work injury will be paid by the above-named insurer.

If medical facility information is provided below, the above-named insurer has a preferred provider arrangement and the insurer has arranged for your initial treatment at:



EMPLOYER: THIS NOTICE MUST BE FILLED OUT AND POSTED WHERE EMPLOYEES CAN READ IT PURSUANT M.G.L. C. 152, SECTIONS 21, 22, 30, AND 75B (2). EMPLOYERS MAY NOT RETALIATE, DISCRIMINATE (IN ACCORDANCE WITH ANY APPLICABLE STATE OR FEDERAL LAWS WHICH INCLUDES IMMIGRATION STATUS), OR PROVIDE FALSE INFORMATION ABOUT THE WORKERS' COMPENSATION PROCESS TO THEIR EMPLOYEES. THIS NOTICE MUST BE UPDATED, POSTED AND REDISTRIBUTED WHEN THERE ARE CHANGES TO THE INFORMATION.