

Office of the Attorney General
Wage and Hour Laws
Office of Massachusetts
Attorney General
Maura Healey

Fair Labor Hotline
(617) 727-3465
TTY (617) 727-4765

OFFICE OF THE ATTORNEY GENERAL
COMMONWEALTH OF MASSACHUSETTS

www.mass.gov/ago/fairlabor

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. 27.07(1)

Minimum Wage	M.G.L. Chapter 151, Sections 1, 2, 2A, and 7	
Effective Date	Minimum Wage	Service Rates
January 1, 2017	\$11.00	\$3.75
January 1, 2019	\$12.00	\$4.35
January 1, 2020	\$12.75	\$4.95
January 1, 2021	\$13.50	\$5.55
January 1, 2022	\$14.25	\$6.15
January 1, 2023	\$15.00	\$6.75

In Massachusetts, all workers are presumed to be employees. The minimum wage applies to all employees, except:

- agricultural workers (\$8.00 per hour is the minimum wage for most agricultural workers),
- members of a religious order,
- workers being trained in certain educational, nonprofit, or religious organizations, and
- outside salespeople.

Tips M.G.L. Chapter 149, Section 152A; M.G.L. Chapter 151, Section 7
The hourly "service rate" applies to workers who provide services to customers and who make more than \$20 a month in tips.
The average hourly tips, plus the hourly service rate paid to the worker must add up to the minimum wage (or more).
Managers, supervisors and owners must never take any part of their employees' tips.
Tips and service charges listed on a bill must be given only to wait staff, service bartenders, or other service employees.
Tip pooling is allowed only for wait staff, service bartenders, and other service employees.

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 over 40 hours in a week.
For some employees who get paid the "service rate," the overtime rate is 1.5 x the basic minimum wage, not the service rate.
Exception: Under state law, some jobs and workplaces are exempt from overtime. For a complete list of overtime exemptions, visit www.mass.gov/ago/fairlabor or call the Attorney General's Fair Labor Division at (617) 727-3465.

Payment of Wages M.G.L. Chapter 149, Section 14B; 454 C.M.R. 27.02
The law says when, what, and how employees must be paid. An employer's pay (or wages) includes payment for all hours worked, including tips, earned vacation pay, promised holiday pay, and earned commissions that are definitely determined, due and payable. Hourly employees must be paid every week or every other week (bi-weekly). The deadline to pay is 6 or 7 days after the pay period ends, depending on how many days an employee worked during one calendar week.
Employees who quit must be paid in full on the next regular payday or by the first Saturday after they quit (if there is no regular payday). Employees who are *fired* or *laid off* must be paid in full on their last day of work.

Paystub Information M.G.L. Chapter 149, Section 14A
All employees must get a statement, at no cost, with their pay that says the name of the employer and employee, the date of payment (month, day, and year), the number of hours worked during the pay period, the hourly rate, and all deductions or increases made during the pay period.

Pay Deductions M.G.L. Chapter 149, Section 14B; 454 C.M.R. 27.05
An employer cannot deduct money from an employee's pay unless the law allows it (such as state and federal income taxes) or the employee asked for a deduction to be made for the employee's own benefit (such as to put money aside in the employee's savings account).
An employer cannot take money from an employee's pay for the employer's ordinary business costs (for example: supplies, materials or tools needed for the employee's job). An employer who requires an employee to buy or rent a uniform must refund the actual costs to the employee.
The law also puts limits on when and how much money an employer can take from an employee's pay for housing and meals the employer gives to the employee.

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

Meal Breaks M.G.L. Chapter 149, Sections 100 and 101
Most employees who work more than 6 hours must get a 30-minute meal break. During their meal break, employees must be free of all duties and free to leave the workplace. If, at the request of the employer, an employee agrees to work or stay at the workplace during the meal break, the employee must get paid for that time.

Payroll Records M.G.L. Chapter 151, Section 15
Payroll records must include the employee's name, address, job/occupation, amount paid each pay period, and hours worked (each day and week).
Employers must keep payroll records for 3 years. Employees have the right to see their own payroll records at reasonable times and places.

Sick Leave M.G.L. Chapter 149, Section 148C
Most employees have the right to earn 1 hour of sick leave for every 30 hours they work, and they may earn and take up to 40 hours of sick leave a year. Employees begin accruing sick time on their first day of work. Employees must have access to their sick leave 90 days after starting work.
Eligible employees may use their sick leave if they or their child, spouse, parent, or spouse's parent is sick, injured, or has a routine medical appointment. They may also use sick leave for themselves or their child to address the effects of domestic violence.
Unless it is an emergency, employees must notify the employer before using sick leave.
Employees who miss more than 3 days in a row may need to provide their employer a doctor's note.

Paid Sick Leave
Employees with 11 or more employees must provide paid sick leave. Employees with fewer than 11 employees must provide sick leave; however, it does not need to be paid.

Employers Must Not Discriminate M.G.L. Chapter 149, Section 105A; M.G.L. Chapter 151B, Section 4
Subject to certain limited exceptions, employers must not pay one employee less for doing the same or comparable work as another employee of a different gender.
They must not discriminate in hiring, pay or other compensation, or other terms of employment based on a person's:

- Race or color
- Religion, national origin, or ancestry
- Sex (including pregnancy)
- Military service
- Sexual orientation or gender identity or expression
- Genetic information or disability
- Age

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.

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

Rev. 10/2018

NOTICE: This state has its own minimum wage law. Employers are also required to display the federal Employee Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.
THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Discrimination Commission Against Discrimination Fair Employment in Massachusetts

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.

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
M.G.L. c. 151B prohibits discrimination and harassment against certain domestic workers where the employer has one (1) or more employees.* 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 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
If 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 PL., SUITE 601, BOSTON, MA 02108 - P: 617-994-6000 F: 617-994-6024
NEW BEDFORD OFFICE: 800 PURCHASE ST., ROOM 501, NEW BEDFORD, MA 02740 - P: 508-990-2390 F: 508-990-4260
SPRINGFIELD OFFICE: 436 DWIGHT ST., ROOM 220, SPRINGFIELD, MA 01103 - P: 413-739-2145 F: 413-784-1056
WORCESTER OFFICE, 484 MAIN STREET, ROOM 320, WORCESTER, MA 01608 - P: 508-453-9630 F: 508-755-3861
For more information, please see our website: www.mass.gov/mcad/

REV. 04/07/2015

NOTICE: Under the Massachusetts Pregnant Workers Fairness Act, employers must distribute a written notice of the right to be free from discrimination due to pregnancy or a condition related to pregnancy. The notice shall be provided to employees in a handbook, pamphlet, or by other means. Posting does not fulfill the notice requirement. For more information, contact the Massachusetts Commission Against Discrimination.
THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

Sexual Harassment Commission Against Discrimination Sexual Harassment

Sexual Harassment at work does not have to be tolerated. It's illegal.

If you are being sexually harassed, report it immediately to your supervisor or contact:

SEXUAL HARASSMENT OFFICER

You can file a complaint with the Massachusetts Commission Against Discrimination (MCAD). Visit or contact MCAD at one of the following locations:

ONE ASHBURTON PLACE ROOM 601 BOSTON, MA 02108 617/994-6000 617/994-6196 TTY	436 DWIGHT STREET ROOM 220 SPRINGFIELD, MA 01103 413/739-2145
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MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

Earned Sick Time Office of the Attorney General Earned Sick Time

Notice of Employee Rights

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

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

HOW IS IT EARNED?

- Employees earn 1 hour of sick time for every 30 hours they work.
- Employees can earn and use up to **40 hours per year** if they work enough hours.
- Employees with unused earned sick time at the end of the year can **rollover up to 40 hours**.
- Employees **begin earning** sick time on their first day of work and **may begin using** earned sick time 90 days after starting work.

WILL IT BE PAID?

- If an employer has 11 or more employees, sick time must be paid.
- For employers with 10 or fewer employees, sick time may be unpaid.
- Paid sick time must be paid on the same schedule and at the same rate as regular wages.

WHEN CAN IT BE USED?

- An employee can use sick time when the employee or the employee's child, spouse, parent, or parent of a spouse is sick, has a medical appointment, or has to address the effects of domestic violence.
- The smallest amount of sick time an employee can take is one hour.
- Sick time cannot be used as an excuse to be late for work without advance notice of a proper use.
- Use of sick time for other purposes is not allowed and may result in an employee being disciplined.

CAN AN EMPLOYER HAVE A DIFFERENT POLICY?
Yes. Employers may have their own sick leave or paid time off policy, so long as employees can use at least the same amount of time, for the same reasons, and with the same job-protections as under the Earned Sick Time Law.

Rev. 07/2016

Unemployment Ins. Office of Labor and Workforce Development Information on Employees' Unemployment Insurance Coverage

THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

EMPLOYER NAME _____
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 from your salary to cover the cost of your Unemployment Insurance benefits.
If you lose your job, you may be entitled to collect Unemployment Insurance. Outlined below is the information you need in order to apply for Unemployment Insurance (UI) benefits. Before you file, your employer will give you a copy of the pamphlet: *How to Apply for Unemployment Insurance Benefits*, provided by the Massachusetts Department of Unemployment Assistance (DUA).
You must be in the United States, its territories, or Canada when filing a claim or certifying for weekly UI benefits.

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

If the last digit of your Social Security Number is:	Assigned day to call Teleclaim is:
0, 1	Monday
2, 3	Tuesday
4, 5, 6	Wednesday
7, 8, 9	Thursday
Any last digit	Friday

IMPORTANT: Massachusetts General Law, Chapter 151A, Section 62A requires that this notice be displayed at each site operated by an employer, in a conspicuous place, where

This document contains important information. Please have it translated immediately.	Questo documento contiene informazioni importanti. Lo preghiamo di tradurlo immediatamente.	මෙම ලේඛනයේ වැදගත් තොරතුරු ඇතුළත් වේ. මෙය ඔබගේ භාෂාවට පරිවර්තනය කර ගන්න.	此文件含有重要資訊。請立即找人翻譯。
В данном документе содержится важная информация. Вам необходимо срочно перевести этот документ на свой родной язык.	Este documento contém informações importantes. Por favor, traduza-lo imediatamente.	මෙම ලේඛනයේ වැදගත් තොරතුරු ඇතුළත් වේ. ඔබගේ භාෂාවට පරිවර්තනය කර ගන්න.	此文件含有重要資訊。請立即找人翻譯。
Este documento contiene información importante. Por favor, consiga una traducción inmediatamente.	Docikman sa ges enbismayson engobtan. Tampti & you moum tradoi i tsoavut.	මෙම ලේඛනයේ වැදගත් තොරතුරු ඇතුළත් වේ. ඔබගේ භාෂාවට පරිවර්තනය කර ගන්න.	此文件含有重要資訊。請立即找人翻譯。
Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay.	본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하십시오.	මෙම ලේඛනයේ වැදගත් තොරතුරු ඇතුළත් වේ. ඔබගේ භාෂාවට පරිවර්තනය කර ගන්න.	此文件含有重要資訊。請立即找人翻譯。

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
Form 2553-A

REV. 10/6/2015

Workers' Comp. Department of Industrial Accidents Workers' Compensation Notice to Employees The Commonwealth of Massachusetts DEPARTMENT OF INDUSTRIAL ACCIDENTS 1 CONGRESS STREET, SUITE 100, BOSTON, MASSACHUSETTS 02114-2017 617-727-4900 - http://www.state.ma.us/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:

NAME OF INSURANCE COMPANY _____
ADDRESS OF INSURANCE COMPANY _____
POLICY NUMBER _____
EFFECTIVE DATES _____
NAME OF INSURANCE AGENT _____
ADDRESS _____
PHONE # _____
EMPLOYER _____
ADDRESS _____
EMPLOYER'S WORKERS' COMPENSATION OFFICER (IF ANY) _____
DATE _____

MEDICAL TREATMENT
The above named insurer is required in cases of personal injuries arising out of and in the course of employment to furnish adequate and reasonable hospital and medical services in accordance with the provisions of the Workers' Compensation Act. A copy of the First Report of Injury must be given to the injured employee. The employee may select his or her own physician. The reasonable cost of the services provided by the treating physician will be paid by the insurer; if the treatment is necessary and reasonably connected to the work related injury. In cases requiring hospital attention, employees are hereby notified that the insurer has arranged for such attention at the insurer's expense.

TO BE POSTED BY EMPLOYER

Parental Leave Commission Against Discrimination Parental Leave

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

- The parental leave law is now gender neutral. Both men and women are entitled to parental leave.
- If the employer agrees to provide parental leave for longer than 8 weeks, the employer must reinstate the employee at the end of the extended leave unless it clearly informs the employee in writing before the leave and before any extension of that leave, that taking longer than 8 weeks of leave shall result in the denial of reinstatement or the loss of other rights and benefits.

The law clarifies that the right to leave applies to employees who have completed an initial probationary period set by the terms of employment, but which is not greater than 3 months.
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.

COMPANY LEAVE POLICY: _____

REV. 3/10/2015

To update your employment law posters contact
J. J. Keller & Associates, Inc.
JKeller.com/employmentlaw
800-327-6868

SCAN ME!
easily verify your poster compliance status now



This poster is in compliance with state posting requirements.