

Your Rights on the Job in Massachusetts

Wages and Hours

Minimum Wage

- Private sector employees must be paid at least \$8.00 per hour
- Public sector workers must be paid at least \$6.55 per hour (\$7.25 as of July 24, 2009).
- Tipped employees must be paid at least \$2.63 per hour

Overtime

- Covered employees must be paid one and a half times their regular rate for all hour worked over 40 in a workweek.

Payment of Wages

- Wages of people who work 5 days per week must be paid in full within 6 days of the end of the pay period
- The pay period may be weekly or biweekly, but not longer for hourly workers. (Some salaried workers may be paid semi-monthly.)
- All employees must get a pay slip, even if they are paid in cash

Breaks

- Employees who work a period of more than six hours are entitled to a 30-minute unpaid meal break
- Employees are entitled to bathroom facilities and breaks

Discrimination

- An employer may not discriminate against a job applicant or employee in hiring, promotion, discipline, discharge, pay, fringe benefits, training or, or other aspects of employment on the basis of race, ancestry, color, sex, religion, national origin, age over 40, handicap, or sexual orientation.
- An employer must make a reasonable accommodation to an individual with a physical or mental disability if this will enable the person to do the job.
- An employee is protected from sexual harassment

Leave

- An eligible employee may be absent for up to 12 weeks a year without losing his or her job:
 - Due to a disability caused by a serious health condition
 - To care for a family member who is disabled due to a serious health condition
 - To care for or bond with a newborn, adopted or foster child
- An eligible employee may take 24 hours of unpaid time off each year to:
 - Participate in school activities related to a child's education
 - Accompany a child to a routine medical or dental appointment

- Accompany an elderly relative to a routine medical or dental appointment or to an appointment for professional services.

Health and Safety

- Private Sector workers are entitled to a workplace free from recognized physical or health hazards.
- If injured on the job, a worker is entitled to receive Workers' Compensation insurance payments
 - Weekly benefits are 60% of the worker's average weekly gross wages
 - Work-related medical expenses are paid for life

Organizing

- Employees have a right to engage in concerted activity to improve their wages and working conditions, including the right to petition, leaflet, organize a union, picket, and strike. (Only private sector workers have the right to strike.)
- An employer must recognize a union chosen by a majority of employees in an appropriate bargaining unit
- An employer must bargain in good faith with the union about all matters relating to employment.

Layoff

- Workers who have lost a job through no fault of their own are guaranteed up to 30 weeks of unemployment insurance payments. This law does not cover undocumented immigrants.