

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 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. An employer can 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.

RETALIATION

- Employees using earned sick time cannot be fired or otherwise retaliated against for exercising or attempting to exercise rights under the law.
- Examples of retaliation include: denying use or delaying payment of earned sick time, firing an employee, taking away work hours, or giving the employee undesirable assignments.

NOTICE & VERIFICATION

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

DO YOU HAVE QUESTIONS?

Call the Fair Labor Division at 617-727-3465 ○ E-Mail us at EarnedSickTime@state.ma.us

Visit www.mass.gov/ago/earnedsicktime



Commonwealth of Massachusetts
Office of the Attorney General

The Attorney General enforces the Earned Sick Time Law and regulations.

It is unlawful to violate any provision of the Earned Sick Time Law.

Violations of any provision of the Earned Sick time law, M.G.L. c. 149, §148C, or these regulations, 940 CMR 33.00 shall be subject to paragraphs (1), (2), (4), (6) and (7) of subsection (b) of M.G.L. c. 149, §27C(b) and to §150.

This notice is intended to inform.

Full text of the law and regulations are available at www.mass.gov/ago/earnedsicktime.

Accruing/Using Earned Sick Time for Monthly & Bi-weekly Employees

Monthly Paid (typically referred to as salaried) Employees:

Monthly employees report sick time used and view sick balances through the College's web-based system, ISIS for Employees. Employee's sick time accrual is calculated for the term the employee has been hired and front-loaded into the employee's sick bank at the point of hire or at the beginning of the fiscal year.

Employees logon to ISIS for Employees at the beginning of each month to record sick time used or not used for the previous month. Employees record the use of sick time hours under the MO Temp Employees Sick Leave plan, or if no sick time is used, the employee records 0 hours under the *No Leave Used for Month* plan.

Recording Sick Time Used or No Leave Used for the Month:

1. Logon to ISIS from the login link located at the top left of the College's main website.
2. Under the login menu click on ISIS.
3. Click on the login tab and enter your MHC email and password.
4. Under the Paid Leave Entry & Approval section, click on the Record Paid Leave Used – Monthly employees only link.
5. Choose the MO Temp Employees Sick Leave Plan from the drop down box, enter the leave used start date (first day of the month), the leave used end date (last day of the month), and enter the total hours used for the month.
6. Under Leave Comment, enter the date(s) the sick time was used during the month.
7. Click Submit.
8. If no leave was used for the month, go to step 5 and choose the No Leave Used for Month plan from the drop down box and follow the instructions from there.

Viewing Your Sick Time Balance:

1. Logon to ISIS from the login link located at the top left of the College's main website.
2. Under the login menu click on ISIS.
3. Click on the login tab and enter your MHC email and password.
4. Under the Paid Leave Entry & Approval section, click on the Paid Leave Plan Summary Report – Bi-weekly & Monthly Employees link.

Biweekly Paid (typically referred to as hourly) Employees:

Biweekly employees accrue sick time and view sick balances through the College's web-based online system, ISIS for Employees. Employees accrue sick time each pay biweekly period. The payroll system calculates the amount of sick time earned based on the hours worked for the current pay period and adds it to the employee's sick bank.

Employees record the use of sick time hours on their timecards for the pay period in which it is used through the web time entry system in ISIS for Employees. Instructions for the web time entry system can be found on the main menu of ISIS for Employees.

Accessing ISIS for Employees:

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