

## Massachusetts Sick Leave Law

MGL Section 1. Chapter 149. Sections 148C and 148D.  
effective 7/1/15

- Employers with 5 or more employees (full-time, part-time, or temporary) must comply.
- Employers with 11 or more employees must provide paid sick leave for all employees.
- Employers with 5-11 employees do not have to offer paid sick leave, but must at least offer unpaid leave.
- Sick time may be used for illness, injury, medical care, or the effects of domestic violence, for employee, spouse, child, parent or spouse's parent
- Minimum is 1 hour of earned sick time for every 30 hours worked. (Note that this is 8.67 days per year. If an employer's policy grants 2 weeks per year, that is equivalent to 1 hour for every 26 worked.)
- Employees may be ineligible to use sick time for the first 90 calendar days of employment.
- Exempt employees are assumed to work 40 hours per week.
- Employees may carry over up to 40 hours of unused sick time into the next calendar year.
- Employees are not entitled to use more than 40 hours of sick leave per calendar year.
- Employers are not required to pay out unused sick time.
- If employee makes up the time during the same or next pay period, s/he would not be required to use paid leave, nor would the employer be required to pay it.
- The employer may not require an employee to work additional hours or to find their own substitute.
- If an employee misses 24 consecutive work hours, the employer may require a physician's note.
- If an employer offers paid vacation that meets these guidelines, that would satisfy the law.

### Sample Employee Handbook Sick Leave Section

In compliance with Massachusetts General Laws, effective July 1, 2015, all employees accrue sick leave at the rate of 1 hour per 26 hours worked. This rate of accrual is equivalent to 10 sick days per year. Sick time is accrued and recorded each pay period. Full-time exempt employees are assumed to work 40 hours per week. Unused sick days are carried over from year to year, up to a maximum of 65 days (three months), but are not ever paid in cash.

Sick Leave may be used for illness, injury, medical care or the effects of domestic violence or for medical appointments for the employee, spouse, child, parent or spouse's parent.

The employee must notify the Office Administrator of the absence.

Sick leave will be paid at the employee's regular rate. In the case of an employee with multiple hourly pay rates, sick time will be paid at the rate that would have been earned during the hours missed. For those employees covered by the UCC Life Insurance and Disability Income Plan, sick leave will be paid according to the disability insurance requirements.