

# DOES YOUR EMPLOYER'S **EARNED SICK TIME** POLICY FOLLOW STATE LAW?

TO FIND OUT, ANSWER THESE QUESTIONS:

## Does your Earned Sick Time or other leave policy let you take time off to:

- Care for *yourself, your child, your spouse, your parent, or your spouse's parent* because of a physical or mental illness, injury, or condition that requires home care, professional medical diagnosis or care, or preventive medical care?  Yes  No
- Go to a routine medical appointment for yourself, your child, spouse, parent, or your spouse's parents?  Yes  No
- Care for yourself or your spouse in the event of pregnancy loss or failed assisted reproduction, adoption or surrogacy?  Yes  No
- Deal with the mental, physical or legal effects of domestic violence?  Yes  No
- Travel to and from your appointment, pharmacy, or other related location?  Yes  No

← If you checked **NO** to any question or if your employer **punishes** you for using sick time for any of these reasons...

Your employer's policy may **not** be legal!

## What kind of notice does your employer require for taking sick time for one of the reasons (above)?

Your employer is allowed to ask you for up to 7 days' notice for scheduled appointments. For other kinds of sick time, you just have to give "reasonable" notice.

- Does your employer require more than 7 days' notice for scheduled appointments?  Yes  No
- Does your employer require advance notice for *emergencies* or if you use earned sick time for unexpected reasons?  Yes  No
- Are your employer's instructions for providing notice unclear?  Yes  No

← If you checked **YES** to any question...  
Your employer's policy may **not** be legal!

## Do you earn enough sick time hours?

Some employers give employees their sick time hours at the beginning of the month or the year. Other employers give it to you as you work.

- Do you earn at least 1 hour of sick leave for every 30 hours you work?  Yes  No
- Can you earn and take up to 40 hours of sick leave a year?  Yes  No
- Can you use your earned sick time beginning 90 calendar days after hire (or sooner)?  Yes  No

← If you checked **NO** to any question...  
Your employer's policy may **not** be legal!

## Does your employer have 11 or more employees?

If **No**, your employer **must** still provide sick leave; but it does **not** have to be paid.

If **Yes**, your employer must give employees **paid** sick leave. Employers should count all employees. This includes employees in other states.

- Do you get paid for sick time when you take it?  Yes  No
- Do you get paid at your regular rate of pay?  Yes  No

← If you checked **NO** to either question...  
Your employer's policy may **not** be legal!

*Note: State law requires employers to follow additional rules. Learn more at [www.mass.gov/ago/earnedsicktime](http://www.mass.gov/ago/earnedsicktime).  
If believe that your employer's policy does not follow state law, you can file a complaint at [www.mass.gov/ago/wagecomplaint](http://www.mass.gov/ago/wagecomplaint).*

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