


# Overview of Paid Sick Time Laws in the United States

Updated on October 26, 2018

Please note that these paid sick time materials do not represent an exhaustive overview of the state, county, and city paid sick time laws described, and it does not constitute legal advice. It is possible that additional provisions not described in these materials may apply to a worker's specific circumstances or category of employment.

 <p>For more information visit A Better Balance (<a href="http://abetterbalance.org">abetterbalance.org</a>)</p>	<p>Massachusetts</p>
<p>Who is covered? Note: City/county paid sick time laws cannot cover state government workers, and city, county, and state paid sick time laws cannot cover federal government workers.</p>	<p>Workers employed in Massachusetts are covered. Workers employed by cities and towns are only covered if the law is accepted by vote or appropriation as provided in the State Constitution.</p>
<p>Can sick time be used to care for loved ones?</p>	<p>Yes: children; spouses; parents; or parents of a spouse</p>
<p>How is "child" defined?</p>	<p>Biological, adopted, or foster child, stepchild, a legal ward, or a child of a person who has assumed the responsibilities of parenthood</p>
<p>Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)?</p>	<p>Yes, but only when the worker or the worker's dependent child is the victim</p>
<p>Can sick time be used under the law to bond with a new child and/or deal with a family member's death? Note: It is possible that other laws, such as the Family and Medical Leave Act or a state equivalent, could provide eligible workers with unpaid leave for these purposes.</p>	<p>No</p>
<p>Can sick time be used when a worker's place of work or child's school/place of care is closed by public health officials for a public health emergency?</p>	<p>No.</p>
<p>Rate at which workers earn paid sick time?</p>	<p>1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below)</p>
<p>Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)?</p>	<p>Yes. Workers in businesses with 11 or more workers can earn up to 40 hours of paid sick time per year. Workers in businesses with fewer than 11 workers can earn up to 40 hours of unpaid, job-protected sick time per year.</p>
<p>Amount of paid sick time that can be earned under the law per year? (Note: All of these paid sick time laws make it clear that these laws establish a minimum requirement, and employers can provide greater or more generous paid sick time benefits to their workers.)</p>	<p>Workers in businesses with 11 or more workers: up to 40 hours of paid sick time a year. Workers in businesses with fewer than 11 workers: up to 40 hours of unpaid, job-protected sick time a year</p>



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Massachusetts

When do workers begin to earn paid sick time?	At the date of hire, but workers aren't entitled to use sick time until the 90th calendar day following commencement of employment.
Does unused sick time carry forward to the subsequent year?	Workers are entitled to carry forward up to 40 hours of unused sick time, but employers aren't required to allow use of more than 40 hours of sick time a year. Per regulations, employers may choose to pay out workers up to 40 hours of unused sick time at the end of the year. If an employer pays out a worker for 16 hours or more of unused sick time, they must provide 16 hours of unpaid sick time up front in the new year; if they pay out less than 16 hours, they shall provide an equivalent amount of unpaid sick time up front in the new year. In either case, this unpaid sick time is replaced by paid sick time as the worker earns it.
Private Right of Action to go to Court?	Yes, after filing with the Attorney General
Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)?	No specific language regarding waivers or exemptions for workers covered by a CBA
What Agency or Official Enforces the Law?	The Massachusetts Attorney General
For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law?	Not explicitly addressed in the paid sick time law
Statutory Citation(s)	Massachusetts General Laws Chapter 149, §§ 148C, 148D
Additional Notes	For more information, see <a href="http://www.mass.gov/ago/doing-business-in-massachusetts/labor-laws-and-public-construction/earned-sick-time/">http://www.mass.gov/ago/doing-business-in-massachusetts/labor-laws-and-public-construction/earned-sick-time/</a> .