Massachusetts & Federal Laws That Can Help You & Your Family Through This Pandemic

Earned Sick Time

Most workers in Massachusetts have the right to earn and use up to 40 hours of job-protected sick time per year to take care of themselves and certain family members.

Workers earn one hour of earned sick leave for every 30 hours worked. They may use it to care for themselves, their child, spouse, parent, or spouse’s parent for the same purposes.

Workers may also use earned sick time to deal with domestic violence involving themselves or their children.

Employers with 11+ employees must provide earned sick time. Employers with less than 11 employees must provide sick time but it does not need to be paid.

Paid Sick Time

Can be used for government ordered isolation or quarantine (without the ability to telework), COVID-19 illness or symptoms, providing COVID-19 care, and child’s school/childcare closed. If you are caring for yourself you are entitled to your full wage (up to $511/day). If you are taking care of a loved one you are entitled up to $200/day.

Emergency Paid Leave

Can be used if child’s school or daycare was closed due to the pandemic. First 10 days may be unpaid after that the employer must pay ⅔ of wages, up to $200/day or $10,000 total.

Employers with 11+ employees must provide paid sick time. Employers with less than 11 employees must provide sick time but it does not need to be paid.

Employers with 500+ employees must pay $200/day or $10,000 total.

Employers with 11-500 employees must pay half of wages, up to $100/day or $5,000 total.

Employers with less than 11 employees must provide earned sick time but it does not need to be paid.

Family & Medical Leave Act

FMLA provides certain employees with up to 12 weeks of unpaid, job-protected leave per year.

Leave can be used for a serious health condition that makes the employee unable to perform the essential functions of their job or to care for a spouse, son, daughter, or parent with a serious health condition. Anyone taking leave under FMLA will have their health benefits maintained during leave.

Workers are eligible for FMLA if their employer has 50+ employees, they’ve worked for the employer for 12 months, and they worked at least 1,250 hours within those 12 months.

Due to COVID-19 regular UI will be supplemented with added benefits from the Cares Act (read to the right). Between now and July 26th anyone receiving regular UI will automatically receive an additional $600/week under the PUC program.

Massachusetts Unemployment Insurance (UI)

Some MA workers are eligible for our regular Massachusetts UI and can apply and receive around half of their average weekly wages for up to 26 weeks.

Workers eligible for regular UI (self-employed, insufficient earnings, regular UI disqualification) and unable to work due to COVID-19 (including closed school or daycare for worker’s children) may be eligible for up to 39 weeks of PUA. The benefits will range from $268-$823/week., plus $600/week under Cares Act.

For more information:

Mass Legal Services https://www.masslegalservices.org/ | Family Values @ Work http://familyvaluesatwork.org/rights

Massachusetts State Website https://www.mass.gov/ | To be connected to valuable resources call 211.

~ This publication is intended to provide an accurate snapshot of key federal and Massachusetts laws. However, do not rely on this information without consulting an appropriate government agency. Laws are subject to change.