

SENATE No. 980

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act clarifying earned paid sick time.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>

SENATE No. 980

By Mr. Humason, a petition (accompanied by bill, Senate, No. 980) of Donald F. Humason, Jr., Bruce E. Tarr, Viriato M. deMacedo and Robert L. Hedlund for legislation to clarify earned paid sick time. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act clarifying earned paid sick time.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Clause (1) of Subsection (d) of Section 1 of Chapter XX of the Acts of
2 2014 shall be stricken and replaced with the following:-

3 “(d) (1) An employer shall provide a minimum of one hour of earned sick time for every
4 thirty hours worked by an employee. Employees shall begin accruing earned sick time
5 commencing with the date of hire of the employee, provided however that said date of hire shall
6 be considered the first day of work for earned compensation exclusive of any orientation period,
7 and shall not be considered the date of an offer of employment, or the date this law becomes
8 effective, whichever is later, but employees shall not be entitled to use accrued earned sick time
9 until the 90th calendar day following commencement of their employment. On and after this 90
10 day period, employees may use earned sick time as it accrues.

11 SECTION 2: Clause (7) of Subsection (d) of Section 1 of Chapter XX of the Acts of
12 2014 shall be stricken and replaced with the following:-

13 “Earned sick time shall be used in increments of half-shifts or full-shifts as calculated by
14 the employer. Employers shall not be required to pay out unused earned sick time upon the
15 separation of the employee from the employer.”

16 SECTION 3: Subsection (f) of Section 1 of Chapter XX of the Acts of 2014 shall be
17 amended by striking out “24 consecutively scheduled work hours” and inserting in place thereof
18 “3 scheduled shifts”

19 SECTION 4: Subsection (h) of Section 1 of Chapter XX of the Acts of 2014 shall be
20 amended by inserting at the end thereof the following:-

21 “; Provided however, that any employee engaged in seasonal employment as defined by
22 subsection (aa) of Section 1 of Chapter 151A of the General Laws who uses earned paid sick
23 time shall be required to return to work for at least two scheduled shifts following the use of said
24 sick time in order to receive compensation. An employee engaged in seasonal employment who
25 fails to return to work for at least two scheduled shifts following the use of earned sick time shall
26 be considered to have abandon their employment and shall not be eligible for compensation for
27 sick time used.”