

Massachusetts Sick Time – AG Amends Safe Harbor Provision

Attorney General Maura Healey has revised the “safe harbor” provision for the new sick leave law which is effective on July 1, 2015.

The original safe harbor allowed employers who already provided at least 30 hours of paid leave until Jan. 1, 2016, to comply with the new law by providing employees with the same minimum of 30 hours of sick leave. The revised safe harbor provision will be available to employers who allow those previously not eligible for paid time off to accrue paid time off at the same rate as previously covered full-time employees. On and after July 1, 2015, all employees not previously covered by the policy, including part-time employees, new employees, and per diem employees must either: accrue paid time off at the same rate of accrual as covered full-time employees; or if the policy provides lump sum allocations, receive a prorated lump sum allocation based on the provision of lump sum paid time off/sick leave to covered full-time employees. Such lump sum allocations may: where lump sums of paid time off are provided annually, be halved for employees who receive coverage as of July 1, 2015, and proportionately reduced for employees hired after July 1, 2015; and/or be proportionate for part-time employees.

[New Safe Harbor Notice Issued June 10, 2015](#)

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