

Three Reasons Why Massachusetts Employers Should Update Their Employee Handbook in 2015 by RIW Attorney Dave Robinson

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One of the greatest difficulties in employment law is its ever changing nature. If courts aren't changing what was previously a bedrock principal of law, the legislature (or even voters) pass new laws for employers to comply with. In Massachusetts, 2014 was a banner year for employment related legislation, passing three new laws that affected commonly held employment policies. If you have not dusted off your employee handbook in the last year, it is very likely out of compliance and should be updated.

Here are the three statutes that need to be addressed:

Employment Leave for Victims and Family Members of Abusive Behavior Act

This act was signed into law on August 8, 2014 and became effective immediately. It requires that employers with 50 or more employees provide up to 15 days of unpaid leave to employees or their family members who are victims of abuse. The statute specifically requires employers to notify each employee of their rights under this act, which may be done by including a compliant policy in the handbook.

Parental Leave Act

On January 7, 2015, Governor Patrick signed into law the Parental Leave Act ("PLA"), which expands the scope of the Massachusetts Maternity Leave Act ("MMLA"). The MMLA previously provided female employees of employers with six or more employees with eight weeks of unpaid leave in connection with the birth or adoption of a child. The PLA expands the MLA to allow male employees to utilize up to eight weeks of leave. The statute also increases the amount of job protected leave to not more than eight weeks, unless the employer clearly informs the employee in writing prior to the leave and prior to any subsequent extension of the leave.

Sick Leave Statute

Last November, Massachusetts voters approved a ballot petition requiring employers with 11 or more employees (full and part time) to provide up to 40 hours of sick time to all of their employees. Additionally, the statute requirements will create compliance issues (accrual, verification, etc.) that will likely cause most existing PTO/sick leave policies to be out of compliance. Employers are required to comply with this statute by July 1, 2015.

For additional information or to review a company's handbook contact **Dave Robinson** at (617) 742-4200 or dwr@riw.com.

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