



e-Alert: When was the last time you updated your Employee Handbook?

Well-crafted employee handbooks are the foundation for effective HR management and compliance. An employee handbook is the best way an employer can communicate not only its compliance with required laws but also its company-specific policies and practices. The following are topics we recommend that Massachusetts employers add to, or update in, their employee handbooks, in addition to any developments in labor and employment law in 2015 and 2016:

Affordable Care Act: Effective January 1, 2015, the Affordable Care Act (ACA) added a statute requiring employers with 50 or more full-time equivalent (FTE) employees to offer medical benefits to employees working on average at least 30 hours per week.

Massachusetts Paid Sick Leave: Effective July 1, 2015, Massachusetts employers with at least 11 employees (including full-time, part-time, casual, and temporary employees) are required to provide each employee with up to 40 hours of paid sick leave per year. Employers with less than 11 employees are required to provide the same amount of sick leave, but the leave can be unpaid.

In addition, other states (including [Arizona](#), [Washington](#), and [Vermont](#)) as well as a number of cities (including [San Diego](#)) enacted or revised similar paid sick leave laws in 2016. Multi-state employers are encouraged to review all applicable paid sick leave requirements to ensure full compliance.

Domestic Violence Leave: As of August 8, 2014, Massachusetts requires employers with 50 or more employees to provide unpaid leave for various purposes related to domestic violence (e.g., to obtain medical care, receive counseling, attend legal proceedings, or obtain housing).

Maternity Leave now Parental Leave: On January 7, 2015, Massachusetts Governor Deval Patrick signed a law requiring employers to afford parental leave to men. The new statute, [An Act Relative to Parental Leave](#), replaced the MMLA (Massachusetts Maternity Leave Act) and, for the first time in the state's history, granted men the right to take eight weeks of parental leave for the birth or adoption of a child. The law went into effect on April 7, 2015.

Leave Issues: We continue to see significant confusion regarding the overlap of the FMLA (Family and Medical Leave Act) with maternity/parental leave policies. Confusion can expose you to liability. This is a great time to take a closer look at your FMLA, pregnancy, and maternity/parental leave policies to ensure that they are clear and fully comply with applicable state and federal law. Some of the cities and states that enacted or amended leave laws in 2016 include [San Francisco](#) and [New York](#).

Gender Identity: If you have not already done so, it is time to update your list of protected characteristics to include gender identity. Since the Equal Employment Opportunity Commission (EEOC) started collecting data on LGBT discrimination charges in 2013, over \$6.4 million in monetary relief for individuals who have been discriminated against has been distributed.



Next Steps

- We recommend that all employers have a well-documented employee handbook that is distributed to employees.
- Be mindful of any changes in local, state, and federal laws and keep your handbook and policies constantly updated to reflect any new regulations.
- When the handbook is completed and distributed, have all employees sign an acknowledgment form when they receive it.
- If you are a multi-state employer, be sure to address changes in the laws of all states in which you operate.
- If you are a full-service client and are interested in an employee handbook review, please email melissa@hrknowledge.com.
- If you are not a full-service client and would like to learn how we can help you update your current handbook, please email melissa@hrknowledge.com.

Please [contact us](#) for more information about company handbook guidelines, or if you have questions about the topics identified above.