MASSACHUSETTS STATE ADDENDUM

This addendum to the MCAD Handbook (the “Massachusetts Addendum”) applies to all eligible employees working in the state of Massachusetts. The Massachusetts Addendum modifies and supersedes some, but not all, of the policies set forth in the Handbook. To the extent there are any inconsistencies between the Handbook and the Massachusetts Addendum, the terms of the Massachusetts Addendum shall control. If you have any questions regarding the application of the Massachusetts Addendum, please contact Human Resources.

The College will provide employees with all required state notices and posters.

Equal Opportunity Employment

In addition to the protected classifications outlined in our general Equal Employment Opportunity policy, the College also prohibits any form of discrimination or harassment based on veteran status and criminal record inquiries in accordance with state law.

Personnel Files

The College will permit, within five (5) days upon written request and up to twice annually, an employee the opportunity to inspect certain personnel records that have been used to determine the employee’s qualification for employment, promotion, additional compensation, or disciplinary action.

The Company will notify an employee within ten (10) days of the College placing in the employee's personnel record any information to the extent that the information is, has been used or may be used, to negatively affect the employee's qualification for employment, promotion, transfer, additional compensation or the possibility that the employee will be subject to disciplinary action.

Vacation Pay at Separation

Eligible employees working in Massachusetts will be paid for all unused, accrued vacation time upon termination or resignation of employment.

Meals and Breaks

Employees are provided an unpaid meal period of no less than thirty (30) minutes when they work more than six (6) consecutive hours during which they are relieved of all duties.

Paid Family and Medical Leave

Covered individuals may be entitled to paid family and medical leave (“PFML”) if they have a serious health condition that incapacitates them from work; for reasons related to the birth, adoption, or foster care placement of a child; to care for a family member with a serious health condition; or for reasons related to a family member’s active duty in the military. The College will provide Massachusetts’ employees with a separate notice explaining PFML. Employees should contact Human Resources with additional questions about this program.

Parental Leave

Any employee who has worked for MCAD for at least three (3) months may be eligible for eight (8) weeks of unpaid leave for the birth or for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled.

An employee is entitled to a total of twenty-four (24) hours of leave during any 12-month period, in addition to leave available under the FMLA, to:

- Participate in school activities directly related to the educational advancement of their child, such as parent-teacher conferences, or interviewing for a new school;
- Accompany the child of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
- Accompany an elderly relative – an individual of at least sixty (60) years of age – to routine medical or dental appointments or other professional services related to the elder's care, such as interviewing at nursing or group homes.

If the necessity for leave is foreseeable, the employee shall provide MCAD with not less than seven (7) days' notice. If the necessity for leave is not foreseeable, the employee shall provide notice as is practicable.

Earned Sick Time for Massachusetts Employees

The Sick Time policy in the Handbook meets or exceeds the requirements of Massachusetts' Earned Sick Time law, and Massachusetts employees may utilize sick leave in a manner consistent with state law.

Accommodations for Disabilities Due to Pregnancy

The College will not discriminate against an employee because of pregnancy and will engage in a timely, good faith, and meaningful exchange with employees affected by pregnancy, childbirth, or related conditions to determine a reasonable accommodation unless doing so will impose an undue hardship on the ordinary operation of College business.

Such accommodations may include modifications or adjustments to the work environment or circumstances under which the employee's position is customarily performed. The College may consider the following accommodations for a pregnant employee, including but not limited to:

- more frequent or longer paid or unpaid breaks;
- time off to attend to a pregnancy complication or recover from childbirth with or without pay;
- acquisition or modification of equipment or seating;
- temporary transfer to a less strenuous or hazardous position;
- job restructuring;
- light duty;
- private non-bathroom space for expressing breast milk;
- assistance with manual labor; or
- a modified work schedule.

MCAD shall not be required to discharge or transfer an employee with more seniority or promote an employee who is not able to perform the essential functions of the job with or without reasonable accommodation.

The College will not deny employment opportunities or take adverse employment action against employees if such decision is based on the College's need to make a reasonable accommodation, and the College will not retaliate against an employee who requests an accommodation or otherwise exercises her rights.