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ONBOARDING DOCUMENTS AND RESOURCES

- **Massachusetts Employment Application**
This document is intended to be used as a general template employment application in Massachusetts only.
- **Permissible Interview Questions**
Certain interview questions can give rise to allegations of age, race, gender, and other forms of employment discrimination. This document provides a sample of permissible interview questions.
- **Massachusetts Non-Disclosure Agreement for Candidates**
This template agreement is intended to be used during the pre-employment process (for example, during the interview process or pre-offer) if the applicant will be exposed to confidential information.
- **Massachusetts Unpaid Intern Law Summary**
This document provides an overview of Massachusetts and federal law regarding permissible uses of unpaid interns.
- **Independent Contractor Engagement: Questionnaire and Checklist of Documents to Review**
This independent contractor checklist and questionnaire provide a series of questions to consider and documents to collect when potentially engaging an independent contractor.
- **Massachusetts Exempt Offer Letter**
This document should be part of a company's onboarding or new hire kit in Massachusetts for all exempt employees only.
- **Massachusetts Non-Exempt Offer Letter**
This document should be part of a company's onboarding or new hire kit in Massachusetts for all non-exempt employees only.
- **Massachusetts New Employee Checklist**
This document should be part of your onboarding or new hire kit in Massachusetts for all employees. It should be used to ensure that all the proper documents have been completed by a new hire.

CONTINUING EMPLOYMENT DOCUMENTS AND RESOURCES

- **Massachusetts Personnel and Payroll Records Maintenance Guidance**

This memo briefly summarizes several recordkeeping requirements in Massachusetts, including items that should be included in an employee's personnel file, the types of payroll records that must be maintained, how long these materials must be retained, and employees' rights to review their personnel records. The memo also addresses a Massachusetts law that requires employers to notify employees when information has been added to their personnel record that has been or may be used to negatively affect the employee.

- **Template Massachusetts Discrimination, Harassment and Retaliation Prevention Policy**

Massachusetts employers with six or more employees are required to prepare and provide all employees with an individual, written copy of the employer's policy against sexual harassment on an annual basis. In addition, new employees must be provided copies of the policy when they start employment. This template discrimination, harassment, and retaliation prevention policy may be used to meet these requirements.

- **Template Massachusetts EEO and Pregnancy Accommodations Policy**

This template equal employment opportunity policy summarizes the employer's commitment to diversity, including its refusal to tolerate discrimination and harassment as well as the availability of pregnancy and lactation accommodations.

- **Massachusetts Meal Period Waiver**

Employees in Massachusetts have a right to at least a 30-minute meal break for each six hours worked in a calendar day. Employees may agree, however, to waive their right to such meal break. This waiver form requires the employee to acknowledge that the waiver is voluntary and that they will record all time worked on any waived meal period, as such time must be paid. Employees also may revoke a waiver of meal periods, and the revocation form is provided.

- **Performance Review**

This employee performance review should be completed by the employee's manager or supervisor at least once per year. It allows the employee's manager or supervisor to assess the employee's performance during the year or past performance period. The performance review should be signed by the employee and the employee's manager or supervisor. An original copy should be kept by the company in the employee's personnel file and copies should be given to the employee and the employee's manager or supervisor.

- **Disciplinary Notice**

This disciplinary notice should be used to document verbal or written warnings given to employees regarding unsatisfactory areas of their job performance, which the employee must correct in order to avoid further disciplinary action, up to and including termination. The notice should be signed by the employee and the employee's manager or supervisor. An original copy should be kept by the company in the employee's personnel file and copies should be given to the employee and the employee's manager or supervisor.

- **Performance Improvement Plan (PIP)**

This document should be provided to an employee whose job performance is unsatisfactory. The purpose of this PIP is to confirm the company's expectations for the employee (in as much detail as possible) going forward and to ensure immediate, significant and sustained improvements in the areas described in the document. The goals set forth in the PIP must be reasonable. The PIP should be signed by the employee and the employee's manager or supervisor. An original PIP should be kept by the company in the employee's personnel file and copies should be given to the employee and the employee's manager or supervisor.

- **Massachusetts Leaves of Absence Guide**

This document is a quick reference guide to determine which leaves of absences apply to companies with a certain number of employees under Massachusetts law.

END OF EMPLOYMENT DOCUMENTS AND RESOURCES

- **Massachusetts Termination/Resignation Checklist**

This checklist should be part of a company's off-boarding or termination kit in Massachusetts for all employees.

- **Massachusetts Termination Letter**

This document should be part of a company's off-boarding or termination kit in Massachusetts for all employees.

STATE EMPLOYMENT LAW GUIDES

- **Littler On Massachusetts**

This comprehensive compendium of Massachusetts employment law is designed to help employers identify and apply Massachusetts' complex patchwork of state employment law requirements. It follows the employment cycle – tracking requirements from pre-hire, time of hire, during employment, and through to the end of employment.