



Legal Changes in Minnesota Affecting Your Business

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The Minnesota Legislature had a very busy session Below are some changes to be aware of that may require changes to your employee handbooks or other policies.

1. Minimum Wage Increase. The state minimum wage will increase to \$8.00 / hour effective August 1, 2014. It will increase to \$9.00 as of 8/1/15 and \$9.25 on 8/1/16.
2. Women's Economic Security Act. This is significant new legislation in Minnesota and an overview can be found here. Key provisions include:
 - a. Parenting leave. The leave requirement increased from 6 to 12 weeks, and includes prenatal care. This now mirrors the federal FMLA law
 - b. Pregnancy accommodations. Employers must provide more frequent restroom, food and water breaks and the employee is not required to present a doctor's note. The Act also clarified that seating and lifting limits to 20 pounds do not constitute an undue hardship for employers.
 - c. Definition of employee: 12 consecutive months of employment is no longer required to qualify for leave.. If someone has a total of 12 months employment and worked at least half time during the past 12 months, the employee would be eligible. Watch out for this if you have a rehires or seasonal staff that come and go throughout the year. Applies to employers with 21 or more employees.
 - d. Familial Status. "Familial status" is now a protected class and prohibits discrimination based on having (or not having) children or elder care responsibilities. There has been a 400% increase in litigation in this area in the past 10 years. This applies to both men and women due to increased Family Caregiver Responsibilities in the workplace. Note: state contractors must update their Affirmative Action Plan to include familial status as a protected class. The state has set aside \$100,000 to enforce this law in 2015. You can learn more about the Minnesota Human Rights Act here
 - e. Use of sick and safety leave. There are two key things to be aware of and require updates to company policies:
 - i. Since 2013 employees have been permitted to use sick leave to care for a child, adult child, spouse, sibling, parent, grandparent, or step parent. The most recent legislation added mother-in-law, father-in-law and grandchild to this list.
 - ii. Safety leave. An employee may use sick leave in order to obtain assistance needed related to sexual assault, domestic abuse or stalking. Safety leave is required to be granted up to 160 hours in any 12-month period.
 - f. Unemployment Eligibility. An employee who resigned or whose employment is terminated related to conduct that is a consequence of domestic abuse, sexual assault, or stalking may be eligible for unemployment benefits.
 - g. Equal Pay Certificate. If you have 40 or more employees and hold state contracts of \$500,00 or more, you will need to obtain an equal pay certificate from the state. Employers are required to examine pay differences between men and women not just by job, but by EEO category of employment (e.g., all technician positions, all clerical positions).
 - h. Discussion of wages. As of July 1st, it is not legal for an employer to prohibit discussion of wages in the workplace

For assistance with these challenging issues, contact Kelly @ Roo Solutions. 763.228.8496
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