

Pending MN Legislation: **Earned Sick and Safe Time** **Paid Family Medical Leave**



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This presentation involved analysis of pending legislation. The content of this presentation is current as of the time of presentation, but the legislation is subject to change as it progresses through the legislative process. The contents herein may not reflect the status of the law/legislation at a later date.

What is Going On?

- Two proposed state bills
- **Paid Family and Medical Leave**
- **Earned Sick and Safe Time**
- Both are proposals for legislation applicable on a *state wide* basis
- Both are still *proposed* – not yet passed

Paid Family and Medical Leave

Proposed Legislation

Paid Family and Medical Leave

What is It?

- An entitlement to LEAVE for certain reasons
- A program by which a BENEFIT (pay) is provided during such leave

Paid Family and Medical Leave Covered Employers

- EVERYONE!
- Under the proposed language, employer means:
 - *“any person, type of organization, or entity, including any partnership, association, trust, estate, joint stock company, insurance company, limited liability company. . .”*

Paid Family and Medical Leave **Eligible Employees**

- “an individual who performs services of whatever nature for an employer”
- Leave entitlement = after 90 days of employment
- Regardless of whether the employee applies for the BENEFIT the employer is required to provide the LEAVE

Paid Family and Medical Leave **Reasons for Leave**

- Serious health condition
- Family member's serious health condition ("family care")
- Safety leave (domestic abuse, sexual assault, stalking)
- Qualifying Exigency (necessary for family duties/care related to deployment)
- Bonding with new child (biological, adopted, or foster)
- Pregnancy
- Recovery from pregnancy

Paid Family and Medical Leave **Amount of Leave**

- 12 weeks in a single year for the employee's serious health condition or pregnancy

PLUS

- Up to 12 weeks for bonding, safety leave, or family care

Paid Family and Medical Leave Premiums

- Employers would have to pay in a “premium” to a state-established benefit fund
- Premiums calculated on taxable wages paid to the employee
- Deposited into a “family and medical benefit insurance account”

Paid Family and Medical Leave Premiums

- Premium amounts proposed for July 1, 2025:
 - Family and medical benefit program = 0.7% taxable wages
 - Only medical benefit program, with private family benefit program = 0.57% taxable wages
 - Only family benefit program, with private medical benefit program = 0.13% taxable wages
 - Can charge back 50% of the premium amount to the employee

Paid Family and Medical Leave **Quarterly Wage Reporting**

- Employers must submit quarterly wage statements to the state
- Similar to unemployment insurance
- Regulations are required to be promulgated, which will contain detail on the “how” of all of this!

Paid Family and Medical Leave **Other Items**

- Private Plan substitution
- Certification Process
- Employee right to reinstatement
- Damages

EFFECTIVE DATE: July 1, 2025 (as proposed currently)

Earned Sick and Safe Time

Proposed Legislation

Pending Legislation: **Paid Sick and Safe Time Bill**

- Applies to employers with one or more employees
- Accrual rate of 1 hour for every 30 worked
- Maximum accrual of 48 hours/year
- Maximum of 80 hours banked

Pending Legislation: **Paid Sick and Safe Time Bill**

- May request documentation for leaves *more than 3* consecutive days
- Retaliation prohibited (of course!)
- Must post a notice/provide in writing to employees

EFFECTIVE DATE: January 1, 2024

Thank You

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