

CITY OF MINNEAPOLIS

Minneapolis Safe and Sick Time Ordinance - an overview

Purpose

- To ensure that workers employed in the City can address their own health needs and the health needs of their families by requiring employers to provide a minimum level of paid sick days including time for family care.
- To reduce public and private health care costs by enabling workers to seek early and routine medical care for themselves and their family members.
- To protect workers employed in the City from losing their jobs while they use sick days to care for themselves or their families.
- To assist victims of domestic violence abuse and their family members by providing them with job protected paid time away from work to allow them to receive treatment and to take the necessary steps to ensure their protection.
- To safeguard the public welfare, health, safety and prosperity of the people of and visitors to the City.

Scope

Employers

Includes all employers with employees working in the City:

- Those with 6 or more employees must provide paid time off
- Those with 5 or less employees must provide unpaid time off

Excludes:

- US Government
- MN state departments and agencies
- Other county/local governments

Employees

Must work at least 80+ hours/year in the City

Includes:

- Full-time
- Part-time
- Temporary

Excludes:

- Independent contractors

Accrual & Use

Accrual

Accrual Rate: 1 hour for every 30 hours worked

Carry-over of up to 80 hours to the next year

Maximum Accrual: 48 hours in a calendar year

Can accrue immediately upon employment, though cannot use until after 90 calendar days of employment

Use – by whom

Employee

Family Member

- Child, step-child, adopted child, foster child, adult child
- Spouse
- Sibling
- Parent, step-parent, mother-in-law, father-in-law
- Grandparent, grandchild
- Guardian, ward or member of the household
- Registered domestic partner

Use - purpose

Mental or physical illness, injury or health condition

Medical diagnosis, care or treatment of a mental or physical illness, injury or health condition

Preventive medical or health care

An absence due to domestic abuse, sexual assault, or stalking

- Seek medical attention
- Obtain services from a victim services organization
- Obtain psychological or other counseling
- Seek relocation
- Take legal action

Closure of business or school due to public health emergency, inclement weather, loss of power, loss of heating, loss of water or other unexpected closure

Use – rules governing particular industries

Health Care

A health care provider may only use sick and safe time when the health care provider has been scheduled to work

A health care provider has **not** been scheduled to work:

- For shifts where the health care provider chooses to call in and request a shift occurring within 24 hours

OR

- For shifts where the health care provider has only been asked to remain available or on call, unless the health care provider has been asked to remain on the employer's premises

Construction

For construction industry employees, an employer will be deemed in compliance by either:

- Paying at least the prevailing wage rate per statute

OR

- Paying at least the required rate established in a registered apprenticeship agreement for apprentices registered with the MN Department of Labor and Industry

The above options apply regardless of whether the employees are working on private or public projects

Notice and Record keeping

Notice

Must post notice provided by the City informing employees of rights

Notice must be given in language spoken by at least 5% of employees

Must include in employee handbook if one is already provided

Records and documentation

Requires tracking of hours of employees who occasionally work in the City

Records of sick and safe time accrual and use must be maintained for 3 years – this is in addition to existing retention of employment and payroll records per statute

Obligation to keep confidential health or medical information or information pertaining to domestic abuse, sexual assault, or stalking

Existing Policies or additional benefits

PTO policies that meet minimum standards deemed in compliance

Encourages more generous policies

Policies may allow for donation of leave

Employers may advance or “front load” leave if desired

Enforcement and Timeline

Summer 2016-end of June 2017:

General stakeholder outreach and community engagement

Multilingual and culturally specific outreach and community engagement

Create guidelines, FAQs

Exploration of work-sharing agreements with the State

Adopt rules

Create multilingual notices for employer use

Authority given to Department of Civil Rights to:

- implement, administer and enforce
- promulgate rules
- investigate possible violations
- order appropriate relief for violations

July 1, 2017-June 30, 2018:

Corrective action for new violations

Effective date
July 1, 2017

July 1, 2018:
Full regulatory enforcement