

# Minneapolis City Council Adopts Paid Sick & Safe Leave Ordinance

MINNEAPOLIS, MN (May 27, 2016)—This morning, the Minneapolis City Council adopted an ordinance instituting sick and safe leave for Minneapolis employees; the ordinance will be effective on July 1, 2017. The ordinance is slightly different than the original proposal and contains the following provisions, which will affect the vast majority of Minneapolis employers and possibly a significant number of non-Minneapolis employers. NJL's [Lisa Schmid](#) outlines the ordinance:

- Coverage for all Minneapolis employers.
  - Employers who employ between 1 and 5 employees will be required to provide **unpaid** sick and safe leave in accordance with the terms of the ordinance.
  - Employers with 6 or more employees will be required to provide **paid** sick and safe leave.
  - For the first five years after the effective date, employers, other than “chain establishments” as defined by the ordinance, operating in their first 12 months after the hire date of the employer’s first employee may provide **unpaid** leave during the initial 12 months of operation.
- A requirement for Minneapolis and non-Minneapolis employers to provide sick and safe leave to employees who work at least 80 hours in the city each year (whether the leave is paid or unpaid will depend on the employer’s size).
  - “Employee” includes: temporary and part-time employees who perform work within the geographic boundaries of the city.
  - “Employee” does not include independent contractors.
  - Some special considerations are given to certain construction and health care workers.
- Accrual of sick and safe leave at the rate of one hour per 30 hours worked, up to 48 hours per year; accrual begins upon employment or the ordinance’s effective date.
- Carryover of unused sick and safe time, with an overall cap of 80 hours of leave at any time, unless the employer agrees to a higher limit.
- After 90 days of employment, leave may be used for:
  - the employee’s own illness, injury, or health condition or preventative care;
  - provision of care for a family member with an illness, injury or health condition or who needs preventative care;
  - leave to deal with domestic abuse, stalking, or other personal safety issues;
  - **an employee’s need to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected closure;**
  - the closure of the employee’s place of business by order of a public official to limit exposure to an

- infectious agent, biological toxin or hazardous material or other public-health emergency; or
  - an employee's need to care for a family member whose school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public-health emergency.
- Notice, posting, and recordkeeping requirements, and issuance of wage disclosure statements each pay period, if requested.
  - Requirements for handling accrued sick and safe time for employees who transfer out of Minneapolis or who separate employment.

Significantly, employers who already provide sick and safe time under a paid time off policy or other paid or unpaid leave policy that meets or exceeds the minimum standards of the new law do not need to provide additional sick and safe leave. That said, all employers will want to ensure they are in compliance with the remaining requirements.

***Lisa Schmid** is an employment attorney who has been following this ordinance and routinely advises employers on the same subject. To contact Lisa to speak with her about the ordinance, [email her](#) or call her at 612.305.7549. For media inquiries, contact Kaila Przymus at 651.789.1266 or [kaila@kohnstamm.com](mailto:kaila@kohnstamm.com).*

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