

1.1 moves to amend H.F. No. 1325 as follows:

1.2 Page 2, after line 28, insert:

1.3 "Sec. Minnesota Statutes 2024, section 181.9445, subdivision 6, is amended to read:

1.4 Subd. 6. **Employer.** "Employer" means a person who has one or more employees.

1.5 Employer includes an individual, a corporation, a partnership, an association, a business

1.6 trust, a nonprofit organization, a group of persons, the state of Minnesota, a county, town,

1.7 city, school district, or other governmental subdivision. In the case of an employee leasing

1.8 company or professional employer organization, the taxpaying employer, as described in

1.9 section 268.046, subdivision 1, remains the employer. In the case of an individual provider

1.10 within the meaning of section 256B.0711, subdivision 1, paragraph (d), the employer includes

1.11 any participant within the meaning of section 256B.0711, subdivision 1, paragraph (e), or

1.12 participant's representative within the meaning of section 256B.0711, subdivision 1,

1.13 paragraph (f). In the event that a temporary employee is supplied by a staffing agency,

1.14 absent a contractual agreement stating otherwise, that individual shall be an employee of

1.15 the staffing agency for all purposes of section 177.50 and sections 181.9445 to 181.9448.

1.16 Employer does not include the United States government or a new business during its first

1.17 year of operation."

1.18 Page 5, line 8, after "time" insert "at least two hours before the employee is scheduled

1.19 to work. If the need to use earned sick and safe time arises within two hours before when

1.20 the employee is scheduled to work or while an employee is working, the employee must

1.21 give notice to the employer"

1.22 Page 5, lines 9 to 11, delete the new language

1.23 Page 5, line 26, strike "three" and insert "two"

2.1 Page 6, line 28, after the period, insert "The employer may require documentation at
 2.2 such time that reasonable documentation is available if it is not available in a reasonable
 2.3 amount of time initially."

2.4 Page 6, after line 30, insert:

2.5 "Sec. Minnesota Statutes 2024, section 181.9447, subdivision 4, is amended to read:

2.6 Subd. 4. **Replacement worker.** For earned sick and safe time use that is unforeseeable,
 2.7 an employer may not require, as a condition of an employee using earned sick and safe
 2.8 time, that the employee seek or find a replacement worker to cover the hours the employee
 2.9 uses as earned sick and safe time. This subdivision does not prohibit an employee from
 2.10 voluntarily seeking or trading shifts with a replacement worker to cover the hours when an
 2.11 employee is using earned sick and safe time."

2.12 Page 7, after line 31, insert:

2.13 "Sec. Minnesota Statutes 2024, section 181.9447, subdivision 12, is amended to read:

2.14 Subd. 12. **Weather event exception.** Notwithstanding subdivision 1, an employee may
 2.15 not use sick and safe time under the conditions in subdivision 1, clause (4), if:

2.16 (1) the employee's preassigned or foreseeable work duties during a public emergency
 2.17 or weather event would require the employee to respond to the public emergency or weather
 2.18 event; and

2.19 (2) the employee is a firefighter; a peace officer subject to licensure under sections
 2.20 626.84 to 626.863; a 911 telecommunicator as defined in section 403.02, subdivision 17c;
 2.21 a guard at a correctional facility; or a public employee holding a commercial driver's license;
 2.22 and.

2.23 ~~(3) one of the following two conditions are met:~~

2.24 ~~(i) the employee is represented by an exclusive representative under section 179A.03,~~
 2.25 ~~subdivision 8, and the collective bargaining agreement or memorandum of understanding~~
 2.26 ~~governing the employee's position explicitly references section 181.9447, subdivision 1,~~
 2.27 ~~clause (4), and clearly and unambiguously waives application of that section for the~~
 2.28 ~~employee's position; or~~

2.29 ~~(ii) the employee is not represented by an exclusive representative, the employee is~~
 2.30 ~~needed for the employer to maintain minimum staffing requirements, and the employer has~~
 2.31 ~~a written policy explicitly referencing section 181.9447, subdivision 1, clause (4), that is~~

3.1 ~~provided to such employees in a manner that meets the requirements of other earned sick~~
3.2 ~~and safe time notices under section 181.9447, subdivision 9.~~

3.3 Sec. Minnesota Statutes 2024, section 181.9448, subdivision 1, is amended to read:

3.4 Subdivision 1. **Effect on more generous sick and safe time policies.** (a) Nothing in
3.5 sections 181.9445 to 181.9448 shall be construed to discourage employers from adopting
3.6 or retaining earned sick and safe time policies that meet or exceed, and do not otherwise
3.7 conflict with, the minimum standards and requirements provided in sections 181.9445 to
3.8 181.9448. ~~All paid time off and other paid leave made available to an employee by an~~
3.9 ~~employer in excess of the minimum amount required in section 181.9446 for absences from~~
3.10 ~~work due to personal illness or injury, but not including short-term or long-term disability~~
3.11 ~~or other salary continuation benefits, must meet or exceed the minimum standards and~~
3.12 ~~requirements provided in sections 181.9445 to 181.9448, except for section 181.9446. For~~
3.13 ~~paid leave accrued prior to January 1, 2024, for absences from work due to personal illness~~
3.14 ~~or injury, an employer may require an employee who uses such leave to follow the written~~
3.15 ~~notice and documentation requirements in the employer's applicable policy or applicable~~
3.16 ~~collective bargaining agreement as of December 31, 2023, in lieu of the requirements of~~
3.17 ~~section 181.9447, subdivisions 2 and 3, provided that an employer does not require an~~
3.18 ~~employee to use leave accrued on or after January 1, 2024, before using leave accrued prior~~
3.19 ~~to that date.~~

3.20 (b) Nothing in sections 181.9445 to 181.9448 shall be construed to limit the right of
3.21 parties to a collective bargaining agreement to bargain and agree with respect to earned sick
3.22 and safe time policies or to diminish the obligation of an employer to comply with any
3.23 contract, collective bargaining agreement, or any employment benefit program or plan that
3.24 meets or exceeds, and does not otherwise conflict with, the minimum standards and
3.25 requirements provided in this section.

3.26 (c) Nothing in sections 181.9445 to 181.9448 shall be construed to preempt, limit, or
3.27 otherwise affect the applicability of any other law, regulation, requirement, policy, or
3.28 standard that provides for a greater amount, accrual, or use by employees of paid sick and
3.29 safe time or that extends other protections to employees.

3.30 (d) Nothing in sections 181.9445 to 181.9448 shall be construed or applied so as to
3.31 create any power or duty in conflict with federal law.

3.32 (e) Employers who provide earned sick and safe time to their employees under a paid
3.33 time off policy or other paid leave policy that may be used for the same purposes and under
3.34 the same conditions as earned sick and safe time, and that meets or exceeds, and does not

4.1 otherwise conflict with, the minimum standards and requirements provided in sections
4.2 181.9445 to 181.9448 are not required to provide additional earned sick and safe time.

4.3 (f) The provisions of sections 181.9445 to 181.9448 may be waived by a collective
4.4 bargaining agreement with a bona fide building and construction trades labor organization
4.5 that has established itself as the collective bargaining representative for the affected building
4.6 and construction industry employees, provided that for such waiver to be valid, it shall
4.7 explicitly reference sections 181.9445 to 181.9448 and clearly and unambiguously waive
4.8 application of those sections to such employees.

4.9 (g) The requirements of section 181.9447, subdivision 3, may be waived for paid leave
4.10 made available to an employee by an employer for absences from work in excess of the
4.11 minimum amount required in section 181.9446 through a collective bargaining agreement
4.12 with a labor organization that has established itself as the collective bargaining representative
4.13 for the employees, provided that for such waiver to be valid, it shall explicitly reference
4.14 section 181.9447, subdivision 3, and clearly and unambiguously waive application of that
4.15 subdivision to such employees.

4.16 (h) An individual provider, as defined in section 256B.0711, subdivision 1, paragraph
4.17 (d), who provides services through a consumer support grant under section 256.476,
4.18 consumer-directed community supports under section 256B.4911, or community first services
4.19 and supports under section 256B.85, to a family member who is a participant, as defined
4.20 in section 256B.0711, subdivision 1, paragraph (e), may individually waive the provisions
4.21 of sections 181.9445 to 181.9448 for the remainder of the participant's service plan year,
4.22 provided that the funds are returned to the participant's budget. Once an individual provider
4.23 has waived the provisions of sections 181.9445 to 181.9448, they may not accrue earned
4.24 sick and safe time until the start of the participant's next service plan year.

4.25 (i) Sections 181.9445 to 181.9448 do not prohibit an employer from establishing a policy
4.26 whereby employees may donate unused accrued sick and safe time to another employee.

4.27 (j) Sections 181.9445 to 181.9448 do not prohibit an employer from advancing sick and
4.28 safe time to an employee before accrual by the employee."

4.29 Renumber the sections in sequence and correct the internal references

4.30 Amend the title accordingly