

Minneapolis Approves Sick and Safe Time Ordinance: What Employers Need to Know

On May 27, 2016, the Minneapolis City Council gave unanimous approval to an ordinance requiring employers with six or more employees to provide paid sick leave to workers. Minneapolis employers should take note of the following provisions of the ordinance, which go into effect on July 1, 2017:

- "Employee" includes full-time, temporary, and part-time employees that work within Minneapolis for at least 80 hours in a given year for the same employer. Independent contractors are not considered employees.
- An employee may use sick and safe time to care for his/her own or a family member's mental or physical illness, diagnosis, or treatment; or appointments for diagnosis, care, treatment or preventative care; or after incidents of domestic abuse, sexual assault, or stalking of an employee or a member of the employee's family; or to stay at home with a child if school is unexpectedly cancelled or for public health reasons.
- Sick and safe time does not begin to accrue until the ordinance goes into effect on July 1, 2017. One hour of sick and safe time accrues for every 30 hours worked. In a standard 40-hour work week, each employee will earn 1.33 hours of sick and safe time. The maximum number of hours that an employee may accrue in one year is 48 hours (6 days), which full-time employees will reach after 37 weeks.
- An employee may use their accrued sick and safe time 90 calendar days after they begin employment.
- Accrued but unused sick and safe time carries over into the following year. However, the maximum amount of accrued but unused sick and safe time cannot exceed 80 hours at any given time.
- Employers must pay employees their normal hourly rate with the same benefits when they use sick and safe time days.
- If an employee uses more than 3 consecutive days of sick and safe time, employers can require reasonable documentation for the absence.

- Employers will need to maintain accurate records for each employee, reflecting the accrued and used sick and safe time for each day of the work week for a period of three years.
- If an employee is transferred to another division, entity or location of the employer within Minneapolis, an employee is rehired after 90 days, or in the event of employer succession, the employee will be entitled to all accrued and unused sick and safe time.

Please contact an attorney at Madigan, Dahl & Harlan to ensure that your company will be compliant with the Minneapolis Sick and Safe Time Ordinance prior to July 1, 2017.