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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3962

04/25/2016 Authored by Hansen, Mariani, Flanagan, Kahn, Bly and others
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

1.1 A bill for an act
1.2 relating to labor relations; clarifying terms related to meatpacking workers;
1.3 providing for notification in languages other than English and Spanish;
1.4 amending Minnesota Statutes 2014, sections 179.86, subdivisions 1, 3; 181.635,
1.5 subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 179.86, subdivision 1, is amended to read:

1.8 Subdivision 1. **Definition.** For the purpose of this section, "employer" means (1)
1.9 an employer in the meatpacking industry employing more than 20 full-time equivalent
1.10 employees in one location who pack, can, or otherwise process poultry or meat for
1.11 human consumption, or (2) an employer of any size whose employees routinely clean or
1.12 sterilize meat processing or poultry processing equipment used by an employer as defined
1.13 in clause (1).

1.14 Sec. 2. Minnesota Statutes 2014, section 179.86, subdivision 3, is amended to read:

1.15 Subd. 3. **Information provided to employee by employer.** (a) An employer
1.16 must provide an explanation ~~in an employee's native language~~ of the employee's rights
1.17 and duties as an employee either person to person or through written materials that, at a
1.18 minimum, include:

- 1.19 (1) a complete description of the salary and benefits plans as they relate to the
1.20 employee;
- 1.21 (2) a job description for the employee's position;
- 1.22 (3) a description of leave policies;
- 1.23 (4) a description of the work hours and work hours policy; and
- 1.24 (5) a description of the occupational hazards known to exist for the position.

(b) The explanation must also include information on the following employee rights as protected by state or federal law and a description of where additional information about those rights may be obtained:

(1) the right to organize and bargain collectively and refrain from organizing and bargaining collectively;

(2) the right to a safe workplace; and

(3) the right to be free from discrimination.

(c) The explanation must be provided in a language the employee speaks fluently.

Sec. 3. Minnesota Statutes 2014, section 181.635, subdivision 2, is amended to read:

Subd. 2. **Recruiting; required disclosure.** An employer shall provide written disclosure of the terms and conditions of employment to a person at the time it recruits the person to relocate to work in the food processing industry. The disclosure requirement does not apply to an exempt employee as defined in United States Code, title 29, section 213(a)(1). The disclosure must be written in ~~English and Spanish~~, a language the employee speaks fluently in addition to any other languages preferred by the employer. The disclosure must be dated and signed by the employer and the person recruited, and maintained by the employer for two years. If the employer has any reason to doubt the employee's ability to read, the employer must read the disclosure out loud to the employee in a language the employee speaks fluently before the disclosure is signed. A copy of the signed and completed disclosure must be delivered immediately to the recruited person. The disclosure may not be construed as an employment contract.