SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 4862

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DATE	D-PG	OFFICIAL STATUS
03/25/2026	6991	Introduction and first reading Referred to Jobs and Economic Development

A bill for an act

relating to employment; modifying the definition of "seasonal employee" under the Minnesota Paid Leave Law; amending Minnesota Statutes 2024, sections 268B.01, subdivision 35; 268B.06, subdivision 9.

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

Section 1. Minnesota Statutes 2024, section 268B.01, subdivision 35, is amended to read:

Subd. 35. **Seasonal employee.** (a) A seasonal employee is an individual who is employed for no more than ~~150~~ 180 days during any consecutive 52-week period ~~in hospitality~~ by an employer whose average receipts during any six months of the preceding calendar year were not more than 33 percent of its average receipts for the other six months of such year.

~~(b) For the purposes of this section, "hospitality" has the meaning given under the collective definitions in section 157.15, subdivisions 4 to 9 and 11 to 14.~~

~~(c)~~ (b) For an individual to be classified as a seasonal employee, an employer must apply to the department in a format and manner prescribed by the commissioner and certify that:

(1) the employee meets or will meet the ~~150-day~~ 180-day maximum employment duration under this subdivision;

~~(2) the employee's primary line of work is hospitality;~~

~~(3)~~ (2) the employer meets the receipts threshold under this subdivision; and

~~(4)~~ (3) the employer has provided the required employee notice required under section 268B.26.

~~(d)~~ (c) An employer must notify the department, in a format and manner prescribed by the commissioner, within five business days if a previously classified seasonal employee no longer meets the criteria above and is no longer a seasonal employee.

Sec. 2. Minnesota Statutes 2024, section 268B.06, subdivision 9, is amended to read:

Subd. 9. **Seasonal employment denial.** (a) An applicant is not eligible to receive benefits or take protected leave under the provisions of this chapter for any week the applicant is a seasonal employee as defined in section 268B.01, subdivision 35.

(b) If benefits are denied to any applicant under paragraph (a) who remains employed more than ~~150~~ 180 days, the applicant is only entitled to benefits beginning the Sunday following the completion of the ~~150-day~~ 180-day period.