

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-SECOND SESSION**

**S.F. No. 2197**

(SENATE AUTHORS: UTKE)

DATE  
03/18/2021

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1074

Introduction and first reading  
Referred to Labor and Industry Policy

OFFICIAL STATUS

1.1 A bill for an act  
 1.2 relating to employment; relating to limitations on requirements to wear a face mask  
 1.3 in the workplace; proposing coding for new law in Minnesota Statutes, chapter  
 1.4 181.

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

1.6 Section 1. **[181.987] LIMITATIONS ON REQUIREMENTS TO WEAR A FACE**  
 1.7 **MASK IN THE WORKPLACE.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
 1.9 the meanings given in this subdivision.

1.10 (b) "Employee" means a person who performs services for compensation, in whatever  
 1.11 form, for an employer.

1.12 (c) "Employer" means a person or entity located or doing business in this state and having  
 1.13 one or more employees, and includes the state and all political or other governmental  
 1.14 subdivisions of the state.

1.15 Subd. 2. **Face mask requirement; employee opt-out.** (a) An employer having a policy  
 1.16 that requires an employee use a face mask, face shield, or other face covering in the  
 1.17 workplace shall allow the employee to opt-out of the requirement if the employee submits  
 1.18 to the employer a certificate:

1.19 (1) from a licensed physician stating that the physical condition of the employee is such  
 1.20 that the face covering would endanger the life or health of the employee; or

1.21 (2) signed by the employee stating that due to the employee's religious, philosophical,  
 1.22 or moral beliefs the employee is opposed to wearing of a face covering.

2.1 (b) The opt-out provision in paragraph (a) does not apply to an employee whose employer  
2.2 determines due to the nature of the employment setting, the wearing of a face covering is  
2.3 essential.

2.4 **EFFECTIVE DATE.** This section is effective the day following termination or rescission  
2.5 of any executive order that requires mandatory wearing of face coverings as it relates to the  
2.6 infectious disease known as COVID-19.