

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 1919

(SENATE AUTHORS: DIBBLE, Tomassoni, Higgins, Dziedzic and Metzen)

DATE	D-PG	OFFICIAL STATUS
02/16/2012	3834	Introduction and first reading Referred to Judiciary and Public Safety

A bill for an act  
relating to employment; prohibiting discrimination against unemployed  
individuals; providing for civil penalties; proposing coding for new law in  
Minnesota Statutes, chapter 181.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [181.646] DISCRIMINATION AGAINST UNEMPLOYED  
INDIVIDUALS PROHIBITED.

Subdivision 1. Definition. As used in this section, "employer" means a person  
who employs another to perform a service for hire. Employer includes any agent,  
representative, or designee of an employer who, for money or other valuable consideration  
paid or promised to be paid, performs any recruiting.

Subd. 2. General prohibition. It shall be unlawful for an employer to discriminate  
against an individual based on unemployment status by:

- (1) refusing to consider or refusing to offer employment based on that status; or
- (2) directing or requesting an employment agency to take into account  
unemployment status when screening or referring applicants for employment.

Subd. 3. Advertisements. It shall be unlawful for an employer to publish in print or  
post electronically an employment advertisement that includes any of the following:

- (1) a provision stating or suggesting that current employment is a job qualification;
- (2) a provision stating or suggesting that an application from a job applicant who  
is currently unemployed will not be reviewed and the applicant will not be considered  
for an interview or be hired; or
- (3) a provision stating or suggesting that only applications for employment from  
applicants who are currently employed will be considered or reviewed.

- 2.1            Subd. 4. **Exceptions.** This section does not prohibit:
- 2.2            (1) granting a preference in employment decisions to current employees of the
- 2.3 employer; or
- 2.4            (2) requiring previous experience that is relevant to the employment.
- 2.5            Subd. 5. **Penalty.** An employer that violates this section is subject to a civil
- 2.6 penalty of not more than \$5,000 for the first violation and not more than \$10,000 for
- 2.7 each subsequent violation.