

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4047

03/07/2022 Authored by Mekeland, Lucero, Green, Davids, Boe and others
The bill was read for the first time and referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy

1.1 A bill for an act
1.2 relating to employment; providing a cause of action for employees for injuries
1.3 caused by COVID-19 vaccination; proposing coding for new law in Minnesota
1.4 Statutes, chapter 181.

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

1.6 Section 1. [181.958] COVID-19 VACCINATION; EMPLOYER LIABILITY.

1.7 (a) For the purposes of this section, the following terms have the meanings given:

1.8 (1) "employee" means a person, independent contractor, or person working for an
1.9 independent contractor who performs services for compensation, in whatever form, for an
1.10 employer; and

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

1.14 (b) Notwithstanding chapter 176, an employee who is required by an employer to obtain
1.15 a COVID-19 vaccination to remain employed, or as a condition of employment, including
1.16 prior to the start of employment, may bring a civil cause of action against the employer for
1.17 damages for an injury or death caused by the COVID-19 vaccination. In addition to an
1.18 award of actual damages, plus costs and disbursements, the employee may receive back
1.19 pay, reinstatement, and other injunctive or equitable relief, plus reasonable attorney fees,
1.20 as determined by the district court. Funding from workers' compensation insurance under
1.21 chapter 176 does not cover any damages or relief awarded under this section.

- 2.1 (c) Any civil action maintained by an employee under this section must be commenced
- 2.2 within one year of the date of the injury or death.