

CHAPTER 142—H. F. No. 307

[Not Coded]

An act increasing probationary period for certain employees of the city of Richfield who are under civil service laws.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Richfield, city of; civil service; probation period.** Notwithstanding the provisions of Minnesota Statutes, Section 419.07, the police civil service commission established for the city of Richfield, may remove or discharge an officer or employee who has less than one year's continuous employment without notice or hearing. Officers and employees of the city of Richfield who have one or more years of continuous employment shall be subject to and treated in accordance with the provisions of Minnesota Statutes, Chapter 419.

Approved April 18, 1969.

CHAPTER 143—H. F. No. 332

[Coded]

An act relating to the abolishment of discriminatory wage rates based on sex, and providing penalties for violations.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[181.66] Labor; equal pay for equal work law; definitions.** Subdivision 1. For the purpose of sections 1 to 7 the terms defined in this section have the meanings given them.

Subd. 2. "Employer" means any person employing one or more employees, but does not include the state or any municipal corporation or political subdivision of the state having in force a civil service system based on merit, or the federal government.

Subd. 3. "Employee" means an individual who, otherwise than as co-partner of the employer or as an independent contractor, renders personal service wholly or partly in this state to an employer who pays or agrees to pay such individual at a fixed rate. However, where services are rendered only partly in this state, an individual is not an employee unless his contract of employment has been entered

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into, or payments thereunder are ordinarily made or to be made within this state.

Subd. 4. "Wages" means all compensation for performance of services by an employee for an employer whether paid by the employer or another person including cash value of all compensation paid in any medium other than cash.

Subd. 5. "Rate" with reference to wages means the basis of compensation for services by an employee for an employer and includes compensation based on the time spent in the performance of such services, or on the number of operations accomplished, or on the quantity produced or handled.

Subd. 6. "Unpaid wages" means the difference between the wages actually paid to an employee and the wages required under section 2 to be paid to such employee.

Sec. 2. [181.67] Wage discrimination based on sex; protection of employees involved in proceeding. Subdivision 1. No employer shall discriminate between employees on the basis of sex by paying wages to employees at a rate less than the rate at which he pays wages to employees of the opposite sex for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to a seniority system, a merit system, a system which measures earning by quantity or quality of production, or a differential based on any other factor other than sex. Provided, that an employer who is paying a wage rate differential in violation of this act shall not, in order to comply with the provisions of this act, reduce the wage rate of any employee.

Subd. 2. No employer shall discriminate against any employee in regard to hire or tenure of employment or any term or condition of employment because the employee has filed a complaint in a proceeding under this act, or has testified, or is about to testify, in any investigation or proceedings pursuant to this act or in a criminal action pursuant to this act.

Sec. 3. [181.68] Actions; limitations, damages, attorney fees, parties, compromises. Subdivision 1. Any employee whose compensation is at a rate that is in violation of section 2 has a right of action against his employer for the recovery of the amount of the unpaid wages to which the employee is entitled for the one year period preceding the commencement of the action, and an amount up to the amount of these unpaid wages may be levied at the discretion of the court as exemplary damages.

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Subd. 2. In addition to any judgment awarded to the plaintiff, the court shall allow reasonable attorney fees to be taxed as costs.

Subd. 3. The action for the unpaid wages and liquidated damages may be maintained by one or more employees on behalf of themselves or other employees similarly situated.

Subd. 4. An agreement for compensation at a rate less than the rate to which an employee is entitled under this act is not a defense to any such action.

Sec. 4. [181.69] **Number of hours of employment.** This act shall not be construed to affect the provisions of Minnesota Statutes, Section 181.18 to 181.23.

Sec. 5. [181.70] **Violations.** A violation of this act is a misdemeanor.

Sec. 6. [181.71] **Citation.** Sections 1 to 7 may be cited as the equal pay for equal work law.

Sec. 7. **Effective date.** This act shall be effective June 1, 1970.

Approved April 17, 1969.

CHAPTER 144—H. F. No. 442

[Coded in Part]

An act relating to the state civil service; amending Minnesota Statutes 1967, Section 43.12, Subdivision 2, and adding subdivisions thereto; Sections 43.121, Subdivision 3; 43.122; and 43.21.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 43.12, Subdivision 2, is amended to read:

Subd. 2. **Civil service; salary ranges.** (1) The following schedule of rates is established as the ~~basic~~ rates of pay for all employees in the state classified service except as *otherwise* provided in ~~clauses (2) and (3) chapter 43.~~

Changes or additions indicated by italics, deletions by ~~strikeout~~.