

7190.0103 CALCULATION OF THE AMOUNT OF HOURS SPENT ON HOUSEHOLD LABOR.

Subpart 1. **Base hours.** The Pollution Control Agency shall determine the number of household labor hours contributed by the claimant by using part 7190.0108, schedule A or B.

Subp. 2. **Schedule A.** Schedule A applies to a claimant who lives in a household where the primary houseworker is not employed outside the household or employed less than 15 hours per week outside the household.

Subp. 3. **Schedule B.** Schedule B applies to a claimant who lives in a household where the primary houseworker is employed 15 or more hours per week outside the household.

Subp. 4. **Applicable living arrangement.** The agency shall determine the hours eligible for compensation from the appropriate schedule as follows:

A. if the claimant is part of a married couple, or demonstrates the claimant is part of a married couple equivalent, the number of hours in the schedule for the claimant's houseworker role (primary or secondary houseworker, with or without children) is the number of hours eligible for compensation;

B. if the claimant is a single parent, the only adult in a household with children, the total of the hours for a primary and secondary houseworker is the number of hours eligible for compensation;

C. if the claimant lives alone, the number of hours for a primary houseworker is the number of hours eligible for compensation;

D. if the claimant lives with one or more other adults, the number of hours for a secondary houseworker in part 7190.0108, subpart 2, is the number of hours eligible for compensation; and

E. if the claimant is a teenage houseworker, the number of hours for a teenage houseworker is the number of hours eligible for compensation. When a teenage houseworker becomes 18 years old, the number of hours for a secondary houseworker is the number of hours eligible for compensation.

The agency shall consider that children under the age of 12 produce no hours eligible for compensation.

Subp. 5. **Exception to schedule.** The agency may determine the number of hours eligible for compensation without using a schedule when:

A. the claimant's living arrangement is not covered by the schedule;

B. the claimant provides evidence that the division of household labor in the claimant's household significantly deviates from the schedule's division; or

C. the claimant demonstrates that special circumstances in the claimant's household such as a disabled spouse, child, or parent significantly increase the total amount of hours spent on household labor.

Subp. 6. **Determination of yearly hours spent.** The agency shall calculate the number of hours spent on household labor in any year by multiplying the schedule base value by 12. For partial years, the agency shall calculate the actual number of months where household labor was lost and multiply the schedule base value by that number.

Statutory Authority: *MS s 115B.34*

History: *12 SR 846; L 2002 c 379 art 2 s 23*

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