

133.21 **ARTICLE 6**

133.22 **EARNED SICK AND SAFE TIME**

133.23 Section 1. Minnesota Statutes 2018, section 181.942, subdivision 1, is amended to read:

133.24 Subdivision 1. **Comparable position.** (a) An employee returning from a leave of absence
 133.25 under section 181.941 is entitled to return to employment in the employee's former position
 133.26 or in a position of comparable duties, number of hours, and pay. An employee returning
 133.27 from a leave of absence longer than one month must notify a supervisor at least two weeks
 133.28 prior to return from leave. An employee returning from a leave under section 181.9412 or
 133.29 ~~181.9413~~ 181.9445 is entitled to return to employment in the employee's former position.

133.30 (b) If, during a leave under sections 181.940 to 181.944, the employer experiences a
 133.31 layoff and the employee would have lost a position had the employee not been on leave,
 133.32 pursuant to the good faith operation of a bona fide layoff and recall system, including a
 134.1 system under a collective bargaining agreement, the employee is not entitled to reinstatement
 134.2 in the former or comparable position. In such circumstances, the employee retains all rights
 134.3 under the layoff and recall system, including a system under a collective bargaining
 134.4 agreement, as if the employee had not taken the leave.

134.5 Sec. 2. [181.9445] EARNED SICK AND SAFE TIME.

134.6 Subdivision 1. **Definitions.** (a) For the purposes of this section and section 177.50, the
 134.7 terms defined in this subdivision have the meanings given them.

134.8 (b) "Commissioner" means the commissioner of labor and industry or authorized designee
 134.9 or representative.

134.10 (c) "Domestic abuse" has the meaning given in section 518B.01.

134.11 (d) "Earned sick and safe time" means leave, including paid time off and other paid leave
 134.12 systems, that is paid at the same hourly rate as an employee earns from employment that
 134.13 may be used for the same purposes and under the same conditions as provided under
 134.14 subdivision 3.

134.15 (e) "Employee" means any person who is employed by an employer, including temporary
 134.16 and part-time employees, who performs work for at least 80 hours in a year for that employer
 134.17 in Minnesota. Employee does not include:

134.18 (1) an independent contractor; or

134.19 (2) an individual employed by an air carrier as a flight deck or cabin crew member who
 134.20 is subject to United States Code, title 45, sections 181 to 188, and who is provided with
 134.21 paid leave equal to or exceeding the amounts in subdivision 2.

134.22 (f) "Employer" means a person who has one or more employees. Employer includes an
 134.23 individual, a corporation, a partnership, an association, a business trust, a nonprofit
 134.24 organization, a group of persons, a state, county, town, city, school district, or other

- 134.25 governmental subdivision. In the event that a temporary employee is supplied by a staffing
134.26 agency, absent a contractual agreement stating otherwise, that individual shall be an employee
134.27 of the staffing agency for all purposes of this section and section 177.50.
- 134.28 (g) "Family member" means:
- 134.29 (1) an employee's:
- 134.30 (i) child, foster child, adult child, legal ward, or child for whom the employee is legal
134.31 guardian;
- 135.1 (ii) spouse or registered domestic partner;
- 135.2 (iii) sibling, stepsibling, or foster sibling;
- 135.3 (iv) parent or stepparent;
- 135.4 (v) grandchild, foster grandchild, or stepgrandchild; or
- 135.5 (vi) grandparent or stepgrandparent;
- 135.6 (2) any of the family members listed in clause (1) of a spouse or registered domestic
135.7 partner;
- 135.8 (3) any individual related by blood or affinity whose close association with the employee
135.9 is the equivalent of a family relationship; and
- 135.10 (4) up to one individual annually designated by the employee.
- 135.11 (h) "Health care professional" means any person licensed under federal or state law to
135.12 provide medical or emergency services, including doctors, physician assistants, nurses, and
135.13 emergency room personnel.
- 135.14 (i) "Prevailing wage rate" has the meaning given in section 177.42 and as calculated by
135.15 the Department of Labor and Industry.
- 135.16 (j) "Retaliatory personnel action" means:
- 135.17 (1) any form of intimidation, threat, reprisal, harassment, discrimination, or adverse
135.18 employment action, including discipline, discharge, suspension, transfer, or reassignment
135.19 to a lesser position in terms of job classification, job security, or other condition of
135.20 employment; reduction in pay or hours or denial of additional hours; the accumulation of
135.21 points under an attendance point system; informing another employer that the person has
135.22 engaged in activities protected by this chapter; or reporting or threatening to report the actual
135.23 or suspected citizenship or immigration status of an employee, former employee, or family
135.24 member of an employee to a federal, state, or local agency; and
- 135.25 (2) interference with or punishment for participating in any manner in an investigation,
135.26 proceeding, or hearing under this chapter.

- 135.27 (k) "Sexual assault" means an act that constitutes a violation under sections 609.342 to
135.28 609.3453 or 609.352.
- 135.29 (l) "Stalking" has the meaning given in section 609.749.
- 135.30 (m) "Year" means a regular and consecutive 12-month period, as determined by an
135.31 employer and clearly communicated to each employee of that employer.
- 136.1 **Subd. 2. Accrual of earned sick and safe time.** (a) An employee accrues a minimum
136.2 of one hour of earned sick and safe time for every 30 hours worked up to a maximum of 48
136.3 hours of earned sick and safe time in a year. Employees may not accrue more than 48 hours
136.4 of earned sick and safe time in a year unless the employer agrees to a higher amount.
- 136.5 (b) Employers must permit an employee to carry over accrued but unused sick and safe
136.6 time into the following year. The total amount of accrued but unused earned sick and safe
136.7 time for an employee may not exceed 80 hours at any time, unless an employer agrees to a
136.8 higher amount.
- 136.9 (c) Employees who are exempt from overtime requirements under United States Code,
136.10 title 29, section 213(a)(1), as amended through the effective date of this section, are deemed
136.11 to work 40 hours in each workweek for purposes of accruing earned sick and safe time,
136.12 except that an employee whose normal workweek is less than 40 hours will accrue earned
136.13 sick and safe time based on the normal workweek.
- 136.14 (d) Earned sick and safe time under this section begins to accrue at the commencement
136.15 of employment of the employee.
- 136.16 (e) Employees may use accrued earned sick and safe time beginning 90 calendar days
136.17 after the day their employment commenced. After 90 days from the day employment
136.18 commenced, employees may use earned sick and safe time as it is accrued. The
136.19 90-calendar-day period under this paragraph includes both days worked and days not worked.
- 136.20 **Subd. 3. Use of earned sick and safe time.** (a) An employee may use accrued earned
136.21 sick and safe time for:
- 136.22 (1) an employee's:
- 136.23 (i) mental or physical illness, injury, or other health condition;
- 136.24 (ii) need for medical diagnosis, care, or treatment of a mental or physical illness, injury,
136.25 or health condition; or
- 136.26 (iii) need for preventive medical or health care;
- 136.27 (2) care of a family member:
- 136.28 (i) with a mental or physical illness, injury, or other health condition;

136.29 (ii) who needs medical diagnosis, care, or treatment of a mental or physical illness,
136.30 injury, or other health condition; or

136.31 (iii) who needs preventive medical or health care;

137.1 (3) absence due to domestic abuse, sexual assault, or stalking of the employee or
137.2 employee's family member, provided the absence is to:

137.3 (i) seek medical attention related to physical or psychological injury or disability caused
137.4 by domestic abuse, sexual assault, or stalking;

137.5 (ii) obtain services from a victim services organization;

137.6 (iii) obtain psychological or other counseling;

137.7 (iv) seek relocation due to domestic abuse, sexual assault, or stalking; or

137.8 (v) seek legal advice or take legal action, including preparing for or participating in any
137.9 civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault,
137.10 or stalking;

137.11 (4) closure of the employee's place of business due to weather or other public emergency
137.12 or an employee's need to care for a family member whose school or place of care has been
137.13 closed due to weather or other public emergency; and

137.14 (5) when it has been determined by the health authorities having jurisdiction or by a
137.15 health care professional that the presence of the employee or family member of the employee
137.16 in the community would jeopardize the health of others because of the exposure of the
137.17 employee or family member of the employee to a communicable disease, whether or not
137.18 the employee or family member has actually contracted the communicable disease.

137.19 (b) An employer may require notice of the need for use of earned sick and safe time as
137.20 provided in this paragraph. If the need for use is foreseeable, an employer may require
137.21 advance notice of the intention to use earned sick and safe time but must not require more
137.22 than seven days' advance notice. If the need is unforeseeable, an employer may require an
137.23 employee to give notice of the need for earned sick and safe time as soon as practicable.

137.24 (c) When an employee uses earned sick and safe time for more than three consecutive
137.25 days, an employer may require reasonable documentation that the earned sick and safe time
137.26 is covered by paragraph (a). For earned sick and safe time under paragraph (a), clauses (1)
137.27 and (2), reasonable documentation may include a signed statement by a health care
137.28 professional indicating the need for use of earned sick and safe time. For earned sick and
137.29 safe time under paragraph (a), clause (3), an employer must accept a court record or
137.30 documentation signed by a volunteer or employee of a victims services organization, an
137.31 attorney, a police officer, or an antiviolence counselor as reasonable documentation. An
137.32 employer must not require disclosure of details relating to domestic abuse, sexual assault,
137.33 or stalking or the details of an employee's or an employee's family member's medical

138.1 condition as related to an employee's request to use earned sick and safe time under this
138.2 section.

138.3 (d) An employer may not require, as a condition of an employee using earned sick and
138.4 safe time, that the employee seek or find a replacement worker to cover the hours the
138.5 employee uses as earned sick and safe time.

138.6 (e) Earned sick and safe time may be used in the smallest increment of time tracked by
138.7 the employer's payroll system, provided such increment is not more than four hours.

138.8 Subd. 4. **Retaliation prohibited.** An employer shall not take retaliatory personnel action
138.9 against an employee because the employee has requested earned sick and safe time, used
138.10 earned sick and safe time, requested a statement of accrued sick and safe time, or made a
138.11 complaint or filed an action to enforce a right to earned sick and safe time under this section.

138.12 Subd. 5. **Reinstatement to comparable position after leave.** An employee returning
138.13 from a leave under this section is entitled to return to employment in a comparable position.
138.14 If, during a leave under this section, the employer experiences a layoff and the employee
138.15 would have lost a position had the employee not been on leave, pursuant to the good faith
138.16 operation of a bona fide layoff and recall system, including a system under a collective
138.17 bargaining agreement, the employee is not entitled to reinstatement in the former or
138.18 comparable position. In such circumstances, the employee retains all rights under the layoff
138.19 and recall system, including a system under a collective bargaining agreement, as if the
138.20 employee had not taken the leave.

138.21 Subd. 6. **Pay and benefits after leave.** An employee returning from a leave under this
138.22 section is entitled to return to employment at the same rate of pay the employee had been
138.23 receiving when the leave commenced, plus any automatic adjustments in the employee's
138.24 pay scale that occurred during leave period. The employee returning from a leave is entitled
138.25 to retain all accrued preleave benefits of employment and seniority as if there had been no
138.26 interruption in service, provided that nothing under this section prevents the accrual of
138.27 benefits or seniority during the leave pursuant to a collective bargaining or other agreement
138.28 between the employer and employees.

138.29 Subd. 7. **Part-time return from leave.** An employee, by agreement with the employer,
138.30 may return to work part time during the leave period without forfeiting the right to return
138.31 to employment at the end of the leave, as provided under this section.

138.32 Subd. 8. **Notice and posting by employer.** (a) Employers must give notice to all
138.33 employees that they are entitled to earned sick and safe time, including the amount of earned
138.34 sick and safe time, the accrual year for the employee, and the terms of its use under this
139.1 section; that retaliation against employees who request or use earned sick and safe time is
139.2 prohibited; and that each employee has the right to file a complaint or bring a civil action
139.3 if earned sick and safe time is denied by the employer or the employee is retaliated against
139.4 for requesting or using earned sick and safe time.

- 139.5 (b) Employers must supply employees with a notice in English and other appropriate
139.6 languages that contains the information required in paragraph (a) at commencement of
139.7 employment or the effective date of this section, whichever is later.
- 139.8 (c) The means used by the employer must be at least as effective as the following options
139.9 for providing notice:
- 139.10 (1) posting a copy of the notice at each location where employees perform work and
139.11 where the notice must be readily observed and easily reviewed by all employees performing
139.12 work; or
- 139.13 (2) providing a paper or electronic copy of the notice to employees.
- 139.14 The notice must contain all information required under paragraph (a). The commissioner
139.15 shall create and make available to employers a poster and a model notice that contains the
139.16 information required under paragraph (a) for their use in complying with this section.
- 139.17 (d) An employer that provides an employee handbook to its employees must include in
139.18 the handbook notice of employee rights and remedies under this section.
- 139.19 Subd. 9. **Required statement to employee.** (a) Upon request of the employee, the
139.20 employer must provide, in writing or electronically, current information stating the
139.21 employee's amount of:
- 139.22 (1) earned sick and safe time available to the employee; and
139.23 (2) used earned sick and safe time.
- 139.24 (b) Employers may choose a reasonable system for providing the information in paragraph
139.25 (a), including but not limited to listing information on each pay stub or developing an online
139.26 system where employees can access their own information.
- 139.27 Subd. 10. **Employer records.** (a) Employers shall retain accurate records documenting
139.28 hours worked by employees and earned sick and safe time taken and comply with all
139.29 requirements under section 177.30.
- 139.30 (b) An employer must allow an employee to inspect records required by this section and
139.31 relating to that employee at a reasonable time and place.
- 140.1 Subd. 11. **Confidentiality and nondisclosure.** (a) If, in conjunction with this section,
140.2 an employer possesses (1) health or medical information regarding an employee or an
140.3 employee's family member; (2) information pertaining to domestic abuse, sexual assault,
140.4 or stalking; (3) information that the employee has requested or obtained leave under this
140.5 section; or (4) any written or oral statement, documentation, record, or corroborating evidence
140.6 provided by the employee or an employee's family member, the employer must treat such
140.7 information as confidential. Information given by an employee may only be disclosed by

- 140.8 an employer if the disclosure is requested or consented to by the employee, when ordered
140.9 by a court or administrative agency, or when otherwise required by federal or state law.
- 140.10 (b) Records and documents relating to medical certifications, recertifications, or medical
140.11 histories of employees or family members of employees created for purposes of this section
140.12 or section 177.50 must be maintained as confidential medical records separate from the
140.13 usual personnel files. At the request of the employee, the employer must destroy or return
140.14 the records required by this section that are older than three years prior to the current calendar
140.15 year.
- 140.16 (c) Employers may not discriminate against any employee based on records created for
140.17 the purposes of this section or section 177.50.
- 140.18 Subd. 12. **No effect on more generous sick and safe time policies.** (a) Nothing in this
140.19 section shall be construed to discourage employers from adopting or retaining earned sick
140.20 and safe time policies that meet or exceed, and do not otherwise conflict with, the minimum
140.21 standards and requirements provided in this section.
- 140.22 (b) Nothing in this section shall be construed to limit the right of parties to a collective
140.23 bargaining agreement to bargain and agree with respect to earned sick and safe time policies
140.24 or to diminish the obligation of an employer to comply with any contract, collective
140.25 bargaining agreement, or any employment benefit program or plan that meets or exceeds,
140.26 and does not otherwise conflict with, the minimum standards and requirements provided in
140.27 this section.
- 140.28 (c) Employers who provide earned sick and safe time to their employees under a paid
140.29 time off policy or other paid leave policy that meets or exceeds, and does not otherwise
140.30 conflict with, the minimum standards and requirements provided in this section are not
140.31 required to provide additional earned sick and safe time.
- 140.32 (d) An employer may opt to satisfy the requirements of this section for construction
140.33 industry employees by:
- 141.1 (1) paying at least the prevailing wage rate as defined by section 177.42 and as calculated
141.2 by the Department of Labor and Industry; or
- 141.3 (2) paying at least the required rate established in a registered apprenticeship agreement
141.4 for apprentices registered with the Department of Labor and Industry.
- 141.5 An employer electing this option is deemed to be in compliance with this section for
141.6 construction industry employees who receive either at least the prevailing wage rate or the
141.7 rate required in the applicable apprenticeship agreement regardless of whether the employees
141.8 are working on private or public projects.
- 141.9 (e) This section does not prohibit an employer from establishing a policy whereby
141.10 employees may donate unused accrued sick and safe time to another employee.

141.11 (f) This section does not prohibit an employer from advancing sick and safe time to an
141.12 employee before accrual by the employee.

141.13 Subd. 13. **Termination; separation; transfer.** This section does not require financial
141.14 or other reimbursement to an employee from an employer upon the employee's termination,
141.15 resignation, retirement, or other separation from employment for accrued earned sick and
141.16 safe time that has not been used. If an employee is transferred to a separate division, entity,
141.17 or location, but remains employed by the same employer, the employee is entitled to all
141.18 earned sick and safe time accrued at the prior division, entity, or location and is entitled to
141.19 use all earned sick and safe time as provided in this section. When there is a separation from
141.20 employment and the employee is rehired within 180 days of separation by the same employer,
141.21 previously accrued earned sick and safe time that had not been used must be reinstated. An
141.22 employee is entitled to use accrued earned sick and safe time and accrue additional earned
141.23 sick and safe time at the commencement of reemployment.

141.24 Subd. 14. **Employer succession.** (a) When a different employer succeeds or takes the
141.25 place of an existing employer, all employees of the original employer who remain employed
141.26 by the successor employer are entitled to all earned sick and safe time accrued but not used
141.27 when employed by the original employer, and are entitled to use all earned sick and safe
141.28 time previously accrued but not used.

141.29 (b) If, at the time of transfer of the business, employees are terminated by the original
141.30 employer and hired within 30 days by the successor employer following the transfer, those
141.31 employees are entitled to all earned sick and safe time accrued but not used when employed
141.32 by the original employer, and are entitled to use all earned sick and safe time previously
141.33 accrued but not used.

142.1 Sec. 3. **REPEALER.**

142.2 Minnesota Statutes 2018, section 181.9413, is repealed.

142.3 Sec. 4. **EFFECTIVE DATE.**

142.4 Sections 1 to 3 are effective 180 days following final enactment.

142.5

ARTICLE 7

142.6

EARNED SICK AND SAFE TIME ENFORCEMENT

142.7 Section 1. Minnesota Statutes 2018, section 177.27, subdivision 2, is amended to read:

142.8 Subd. 2. **Submission of records; penalty.** The commissioner may require the employer
142.9 of employees working in the state to submit to the commissioner photocopies, certified
142.10 copies, or, if necessary, the originals of employment records which the commissioner deems
142.11 necessary or appropriate. The records which may be required include full and correct
142.12 statements in writing, including sworn statements by the employer, containing information
142.13 relating to wages, hours, names, addresses, and any other information pertaining to the

142.14 employer's employees and the conditions of their employment as the commissioner deems
142.15 necessary or appropriate.

142.16 The commissioner may require the records to be submitted by certified mail delivery
142.17 or, if necessary, by personal delivery by the employer or a representative of the employer,
142.18 as authorized by the employer in writing.

142.19 The commissioner may fine the employer up to ~~\$1,000~~ \$10,000 for each failure to submit
142.20 or deliver records as required by this section. This penalty is in addition to any penalties
142.21 provided under section 177.32, subdivision 1. In determining the amount of a civil penalty
142.22 under this subdivision, the appropriateness of such penalty to the size of the employer's
142.23 business and the gravity of the violation shall be considered.

142.24 Sec. 2. Minnesota Statutes 2018, section 177.27, subdivision 4, is amended to read:

142.25 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an
142.26 employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032,
142.27 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275,
142.28 subdivision 2a, 181.722, 181.79, ~~and~~ 181.939 to 181.943, and 181.9445, or with any rule
142.29 promulgated under section 177.28. The commissioner shall issue an order requiring an
142.30 employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes
142.31 of this subdivision only, a violation is repeated if at any time during the two years that
143.1 preceded the date of violation, the commissioner issued an order to the employer for violation
143.2 of sections 177.41 to 177.435 and the order is final or the commissioner and the employer
143.3 have entered into a settlement agreement that required the employer to pay back wages that
143.4 were required by sections 177.41 to 177.435. The department shall serve the order upon the
143.5 employer or the employer's authorized representative in person or by certified mail at the
143.6 employer's place of business. An employer who wishes to contest the order must file written
143.7 notice of objection to the order with the commissioner within 15 calendar days after being
143.8 served with the order. A contested case proceeding must then be held in accordance with
143.9 sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the
143.10 employer fails to file a written notice of objection with the commissioner, the order becomes
143.11 a final order of the commissioner.

143.12 Sec. 3. Minnesota Statutes 2018, section 177.27, subdivision 7, is amended to read:

143.13 Subd. 7. **Employer liability.** If an employer is found by the commissioner to have
143.14 violated a section identified in subdivision 4, or any rule adopted under section 177.28, and
143.15 the commissioner issues an order to comply, the commissioner shall order the employer to
143.16 cease and desist from engaging in the violative practice and to take such affirmative steps
143.17 that in the judgment of the commissioner will effectuate the purposes of the section or rule
143.18 violated. The commissioner shall order the employer to pay to the aggrieved parties back
143.19 pay, gratuities, and compensatory damages, less any amount actually paid to the employee
143.20 by the employer, and for an additional equal amount as liquidated damages. Any employer
143.21 who is found by the commissioner to have repeatedly or willfully violated a section or
143.22 sections identified in subdivision 4 shall be subject to a civil penalty of up to ~~\$1,000~~ \$10,000

143.23 for each violation for each employee. In determining the amount of a civil penalty under
143.24 this subdivision, the appropriateness of such penalty to the size of the employer's business
143.25 and the gravity of the violation shall be considered. In addition, the commissioner may order
143.26 the employer to reimburse the department and the attorney general for all appropriate
143.27 litigation and hearing costs expended in preparation for and in conducting the contested
143.28 case proceeding, unless payment of costs would impose extreme financial hardship on the
143.29 employer. If the employer is able to establish extreme financial hardship, then the
143.30 commissioner may order the employer to pay a percentage of the total costs that will not
143.31 cause extreme financial hardship. Costs include but are not limited to the costs of services
143.32 rendered by the attorney general, private attorneys if engaged by the department,
143.33 administrative law judges, court reporters, and expert witnesses as well as the cost of
143.34 transcripts. Interest shall accrue on, and be added to, the unpaid balance of a commissioner's
143.35 order from the date the order is signed by the commissioner until it is paid, at an annual rate
144.1 provided in section 549.09, subdivision 1, paragraph (c). The commissioner may establish
144.2 escrow accounts for purposes of distributing damages.

144.3 Sec. 4. [177.50] EARNED SICK AND SAFE TIME ENFORCEMENT.

144.4 Subdivision 1. **Definitions.** The definitions in section 181.9445, subdivision 1, apply to
144.5 this section.

144.6 Subd. 2. **Rulemaking authority.** The commissioner may adopt rules to carry out the
144.7 purposes of this section and section 181.9445.

144.8 Subd. 3. **Individual remedies.** In addition to any other remedies provided by law, a
144.9 person injured by a violation of section 181.9445 may bring a civil action to recover general
144.10 and special damages, along with costs, fees, and reasonable attorney fees, and may receive
144.11 injunctive and other equitable relief as determined by a court. An action to recover damages
144.12 under this subdivision must be commenced within three years of the violation of section
144.13 181.9445 that caused the injury to the employee.

144.14 Subd. 4. **Grants to community organizations.** The commissioner may make grants to
144.15 community organizations for the purpose of outreach to and education for employees
144.16 regarding their rights under section 181.9445. The community-based organizations must
144.17 be selected based on their experience, capacity, and relationships in high-violation industries.
144.18 The work under such a grant may include the creation and administration of a statewide
144.19 worker hotline.

144.20 Subd. 5. **Report to legislature.** (a) The commissioner must submit an annual report to
144.21 the legislature, including to the chairs and ranking minority members of any relevant
144.22 legislative committee. The report must include, but is not limited to:

144.23 (1) a list of all violations of section 181.9445, including the employer involved, and the
144.24 nature of any violations; and

- 144.25 (2) an analysis of noncompliance with section 181.9445, including any patterns by
144.26 employer, industry, or county.
- 144.27 (b) A report under this section must not include an employee's name or other identifying
144.28 information, any health or medical information regarding an employee or an employee's
144.29 family member, or any information pertaining to domestic abuse, sexual assault, or stalking
144.30 of an employee or an employee's family member.
- 144.31 Subd. 6. **Contract for labor or services.** It is the responsibility of all employers to not
144.32 enter into any contract or agreement for labor or services where the employer has any actual
145.1 knowledge or knowledge arising from familiarity with the normal facts and circumstances
145.2 of the business activity engaged in, or has any additional facts or information that, taken
145.3 together, would make a reasonably prudent person undertake to inquire whether, taken
145.4 together, the contractor is not complying or has failed to comply with this section. For
145.5 purposes of this subdivision, "actual knowledge" means information obtained by the employer
145.6 that the contractor has violated this section within the past two years and has failed to present
145.7 the employer with credible evidence that such noncompliance has been cured going forward.
- 145.8 **EFFECTIVE DATE.** This section is effective 180 days after final enactment.