

ARTICLE 11

SAFE WORKPLACES FOR MEAT AND POULTRY PROCESSING WORKERS

Section 1. **[179.87] TITLE.**

Sections 179.87 to 179.8757 may be titled the "Safe Workplaces for Meat and Poultry Processing Workers Act."

Sec. 2. [179.871] DEFINITIONS.

Subdivision 1. **Definitions.** For purposes of sections 179.87 to 179.8757, the terms in this section have the meanings given.

Subd. 2. **Authorized employee representative.** "Authorized employee representative"
has the meaning given in section 182.651, subdivision 22.

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of labor and industry or the commissioner's designee.

Subd. 4. **Coordinator.** "Coordinator" means the meatpacking industry worker rights coordinator or the coordinator's designee.

Subd. 5. Meat-processing worker. "Meat-processing worker" or "worker" means any individual who a meat-processing employer suffers or permits to work directly in contact with raw meatpacking products in a meatpacking operation, including independent contractors and persons performing work for an employer through a temporary service or staffing agency. Workers in a meatpacking operation who inspect or package meatpacking products and workers who clean, maintain, or sanitize equipment or surfaces are included in the definition of a meat-processing worker. Meat-processing worker does not include a federal, state, or local government inspector.

Subd. 6. **Meatpacking operation.** "Meatpacking operation" or "meat-processing employer" means a meatpacking or poultry processing site with 100 or more employees in Minnesota and a North American Industrial Classification system (NAICS) code of 311611 to 311615, excluding NAICS code 311613. Meatpacking operation or meat-processing employer does not mean a grocery store, butcher shop, meat market, deli, restaurant, or other business preparing meatpacking products for immediate consumption or for sale in a retail establishment or otherwise directly to an end-consumer.

Subd. 7. **Meatpacking products.** "Meatpacking products" means meat food products and poultry food products as defined in section 31A.02, subdivision 10.

Sec. 3. [179.8715] WORKER RIGHTS COORDINATOR.

(a) The commissioner must appoint a meatpacking industry worker rights coordinator in the Department of Labor and Industry and provide the coordinator with necessary office space, furniture, equipment, supplies, and assistance.

ARTICLE 13

MEAT AND POULTRY PROCESSING

Section 1. **[179.87] TITLE.**

7 Sections 179.87 to 179.8757 may be titled the "Safe Workplaces for Meat and Poultry
8 Processing Workers Act."

Sec. 2. **[179.871] DEFINITIONS.**

Subdivision 1. **Definitions.** For purposes of sections 179.87 to 179.8757, the terms in this section have the meanings given.

Subd. 2. **Authorized employee representative.** "Authorized employee representative"
has the meaning given in section 182.651, subdivision 22.

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of labor and industry or the commissioner's designee.

Subd. 4. **Coordinator.** "Coordinator" means the meatpacking industry worker rights coordinator or the coordinator's designee.

Subd. 5. **Meat-processing worker.** "Meat-processing worker" or "worker" means any individual who a meat-processing employer suffers or permits to work directly in contact with raw meatpacking products in a meatpacking operation, including independent contractors and persons performing work for an employer through a temporary service or staffing agency. Workers in a meatpacking operation who inspect or package meatpacking products and workers who clean, maintain, or sanitize equipment or surfaces are included in the definition of a meat-processing worker.

Subd. 6. **Meatpacking operation.** "Meatpacking operation" or "meat-processing employer" means a meatpacking or poultry processing site with 100 or more employees in Minnesota and a North American Industrial Classification system code of 311611 to 311615, except 311613. Meatpacking operation or meat-processing employer does not mean a grocery store, deli, restaurant, or other business preparing meatpacking products for immediate consumption.

3 Subd. 7. **Meatpacking products.** "Meatpacking products" means meat food products
4 and poultry food products as defined in section 31A.02, subdivision 10.

Sec. 3. [179.8715] WORKER RIGHTS COORDINATOR.

6 (a) The commissioner must appoint a meatpacking industry worker rights coordinator
7 in the Department of Labor and Industry and provide the coordinator with necessary office
8 space, furniture, equipment, supplies, and assistance.

161.14 (b) The commissioner must enforce sections 179.87 to 179.8757, including inspecting,
161.15 reviewing, and recommending improvements to the practices and procedures of meatpacking
161.16 operations in Minnesota. A meat-processing employer must grant the commissioner full
161.17 access to all meatpacking operations in this state at any time that meatpacking products are
161.18 being processed or meat-processing workers are on the job.

161.19 (c) No later than December 1 each year, beginning December 1, 2024, the coordinator
161.20 must submit a report to the governor and the chairs and ranking minority members of the
161.21 legislative committees with jurisdiction over labor. The report must include recommendations
161.22 to promote better treatment of meat-processing workers. The coordinator shall also post the
161.23 report on the Department of Labor and Industry's website.

161.24 Sec. 4. **[179.872] REFUSAL TO WORK UNDER DANGEROUS CONDITIONS.**

161.25 A meat-processing worker has the right to refuse to work under dangerous conditions
161.26 in accordance with section 182.654, subdivision 11. Pursuant to section 182.654, subdivision
161.27 11, the worker shall continue to receive pay and shall not be subject to discrimination.

161.28 Sec. 5. **[179.875] ENFORCEMENT AND COMPLIANCE.**

161.29 Subdivision 1. **Administrative enforcement.** The commissioner, either on the
161.30 commissioner's initiative or in response to a complaint, may inspect a meatpacking operation
161.31 and subpoena records and witnesses as provided in sections 175.20, 177.27, and 182.659.
162.1 If a meat-processing employer does not comply with the commissioner's inspection, the
162.2 commissioner may seek relief as provided in this section or chapter 175 or 182.

162.3 Subd. 2. **Compliance authority.** The commissioner may issue a compliance order under
162.4 section 177.27, subdivision 4, requiring an employer to comply with sections 179.8755,
162.5 paragraphs (b) and (c); 179.8756, subdivisions 1 to 3 and 4, paragraphs (f) and (g); and
162.6 179.8757. The commissioner also has authority, pursuant to section 182.662, subdivision
162.7 1, to issue a stop-work or business closure order when there is a condition or practice that
162.8 could result in death or serious physical harm.

162.9 Subd. 3. **Private civil action.** If a meat-processing employer does not comply with a
162.10 provision in sections 179.87 to 179.8757, an aggrieved worker, authorized employee
162.11 representative, or other person may bring a civil action in a court of competent jurisdiction
162.12 within three years of an alleged violation and, upon prevailing, must be awarded the relief
162.13 provided in this section. Pursuing administrative relief is not a prerequisite for bringing a
162.14 civil action.

162.15 Subd. 4. **Other government enforcement.** The attorney general may enforce sections
162.16 179.87 to 179.8757 under section 8.31. A city or county attorney may also enforce these
162.17 sections. Such law enforcement agencies may inspect meatpacking operations and subpoena
162.18 records and witnesses and, where such agencies determine that a violation has occurred,
162.19 may bring a civil action as provided in this section.

170.29 (b) The commissioner must enforce sections 179.87 to 179.8757, including inspecting,
170.30 reviewing, and recommending improvements to the practices and procedures of meatpacking
170.31 operations in Minnesota. A meat-processing employer must grant the commissioner full
171.1 access to all meatpacking operations in this state at any time that meatpacking products are
171.2 being processed or meat-processing workers are on the job.

171.3 (c) No later than December 1 each year, beginning December 1, 2024, the coordinator
171.4 must submit a report to the governor and the chairs and ranking minority members of the
171.5 legislative committees with jurisdiction over labor. The report must include recommendations
171.6 to promote better treatment of meat-processing workers. The coordinator shall also post the
171.7 report on the Department of Labor and Industry's website.

171.8 Sec. 4. **[179.872] REFUSAL TO WORK UNDER DANGEROUS CONDITIONS.**

171.9 A meat-processing worker has the right to refuse to work under dangerous conditions
171.10 in accordance with section 182.654, subdivision 11. Pursuant to section 182.654, subdivision
171.11 11, the worker shall continue to receive pay and shall not be subject to discrimination.

171.12 Sec. 5. **[179.875] ENFORCEMENT AND COMPLIANCE.**

171.13 Subdivision 1. **Administrative enforcement.** The commissioner, either on the
171.14 commissioner's initiative or in response to a complaint, may inspect a meatpacking operation
171.15 and subpoena records and witnesses as provided in sections 175.20, 177.27, and 182.659.
171.16 If a meat-processing employer does not comply with the commissioner's inspection, the
171.17 commissioner may seek relief as provided in this section or chapter 175 or 182.

171.18 Subd. 2. **Compliance authority.** The commissioner may issue a compliance order under
171.19 section 177.27, subdivision 4, requiring an employer to comply with sections 179.8755,
171.20 paragraphs (b) and (c); 179.8756, subdivisions 1 to 3 and 4, paragraphs (f) and (g); and
171.21 179.8757. The commissioner also has authority, pursuant to section 182.662, subdivision
171.22 1, to issue a stop-work or business closure order when there is a condition or practice that
171.23 could result in death or serious physical harm.

171.24 Subd. 3. **Private civil action.** If a meat-processing employer does not comply with a
171.25 provision in sections 179.87 to 179.8757, an aggrieved worker, authorized employee
171.26 representative, or other person may bring a civil action in a court of competent jurisdiction
171.27 within three years of an alleged violation and, upon prevailing, must be awarded the relief
171.28 provided in this section. Pursuing administrative relief is not a prerequisite for bringing a
171.29 civil action.

171.30 Subd. 4. **Other government enforcement.** The attorney general may enforce sections
171.31 179.87 to 179.8757 under section 8.31. A city or county attorney may also enforce these
171.32 sections. Such law enforcement agencies may inspect meatpacking operations and subpoena
172.1 records and witnesses and, where such agencies determine that a violation has occurred,
172.2 may bring a civil action as provided in this section.

162.20 Subd. 5. **Relief.** (a) In a civil action or administrative proceeding brought to enforce
162.21 sections 179.87 to 179.8757, the court or commissioner must order relief as provided in this
162.22 subdivision.

162.23 (b) For any violation of sections 179.87 to 179.8757:

162.24 (1) an injunction to order compliance and restrain continued violations;

162.25 (2) payment to a prevailing worker by a meat-processing employer of reasonable costs,
162.26 disbursements, and attorney fees; and

162.27 (3) a civil penalty payable to the state of not less than \$100 per day per worker affected
162.28 by the meat-processing employer's noncompliance with sections 179.87 to 179.8757.

162.29 (c) Any worker who brings a complaint under sections 179.87 to 179.8757 and suffers
162.30 retaliation is entitled to treble damages in addition to lost pay and recovery of attorney fees
162.31 and costs.

163.1 (d) Any company who is found to have retaliated against a meat-processing worker must
163.2 pay a fine of up to \$10,000 to the commissioner, in addition to other penalties available
163.3 under law.

163.4 Subd. 6. **Whistleblower enforcement; penalty distribution.** (a) The relief provided in
163.5 this section may be recovered through a private civil action brought on behalf of the
163.6 commissioner in a court of competent jurisdiction by another individual, including an
163.7 authorized employee representative, pursuant to this subdivision.

163.8 (b) The individual must give written notice to the coordinator of the specific provision
163.9 or provisions of sections 179.87 to 179.8757 alleged to have been violated. The individual
163.10 or representative organization may commence a civil action under this subdivision if no
163.11 enforcement action is taken by the commissioner within 30 days.

163.12 (c) Civil penalties recovered pursuant to this subdivision must be distributed as follows:

163.13 (1) 70 percent to the commissioner for enforcement of sections 179.87 to 179.8757; and

163.14 (2) 30 percent to the individual or authorized employee representative.

163.15 (d) The right to bring an action under this subdivision shall not be impaired by private
163.16 contract. A public enforcement action must be tried promptly, without regard to concurrent
163.17 adjudication of a private claim for the same alleged violation.

163.18 Sec. 6. **[179.8755] RETALIATION AGAINST EMPLOYEES AND**
163.19 **WHISTLEBLOWERS PROHIBITED.**

163.20 (a) Pursuant to section 182.669, no meat-processing employer or other person may
163.21 discharge or discriminate against a worker because the employee has raised a concern about

172.3 Subd. 5. **Relief.** (a) In a civil action or administrative proceeding brought to enforce
172.4 sections 179.87 to 179.8757, the court or commissioner must order relief as provided in this
172.5 subdivision.

172.6 (b) For any violation of sections 179.87 to 179.8757:

172.7 (1) an injunction to order compliance and restrain continued violations;

172.8 (2) payment to a prevailing worker by a meat-processing employer of reasonable costs,
172.9 disbursements, and attorney fees; and

172.10 (3) a civil penalty payable to the state of not less than \$100 per day per worker affected
172.11 by the meat-processing employer's noncompliance with sections 179.87 to 179.8757.

172.12 (c) Any worker who brings a complaint under sections 179.87 to 179.8757 and suffers
172.13 retaliation is entitled to treble damages in addition to lost pay and recovery of attorney fees
172.14 and costs.

172.15 (d) Any company who is found to have retaliated against a meat-processing worker must
172.16 pay a fine of up to \$10,000 to the commissioner, in addition to other penalties available
172.17 under the law.

172.18 Subd. 6. **Whistleblower enforcement; penalty distribution.** (a) The relief provided in
172.19 this section may be recovered through a private civil action brought on behalf of the
172.20 commissioner in a court of competent jurisdiction by another individual, including an
172.21 authorized employee representative, pursuant to this subdivision.

172.22 (b) The individual must give written notice to the coordinator of the specific provision
172.23 or provisions of sections 179.87 to 179.8757 alleged to have been violated. The individual
172.24 or representative organization may commence a civil action under this subdivision if no
172.25 enforcement action is taken by the commissioner within 30 days.

172.26 (c) Civil penalties recovered pursuant to this subdivision must be distributed as follows:

172.27 (1) 70 percent to the commissioner for enforcement of sections 179.87 to 179.8757; and

172.28 (2) 30 percent to the individual or authorized employee representative.

172.29 (d) The right to bring an action under this subdivision shall not be impaired by private
172.30 contract. A public enforcement action must be tried promptly, without regard to concurrent
172.31 adjudication of a private claim for the same alleged violation.

173.1 Sec. 6. **[179.8755] RETALIATION AGAINST EMPLOYEES AND**
173.2 **WHISTLEBLOWERS PROHIBITED.**

173.3 (a) Pursuant to section 182.669, no meat-processing employer or other person may
173.4 discharge or discriminate against a worker because the worker has raised a concern about

163.22 a meatpacking operation's health and safety practices to the employer or otherwise exercised
163.23 any right authorized under sections 182.65 to 182.674.

163.24 (b) No meat-processing employer or other person may attempt to require any worker to
163.25 sign a contract or other agreement that would limit or prevent the worker from disclosing
163.26 information about workplace health and safety practices or hazards, or to otherwise abide
163.27 by a workplace policy that would limit or prevent such disclosures. Any such agreements
163.28 or policies are hereby void and unenforceable as contrary to the public policy of this state.
163.29 An employer's attempt to impose such a contract, agreement, or policy shall constitute an
163.30 adverse action enforceable under section 179.875.

163.31 (c) Reporting or threatening to report a meat-processing worker's suspected citizenship
163.32 or immigration status, or the suspected citizenship or immigration status of a family member
164.1 of the worker, to a federal, state, or local agency because the worker exercises a right under
164.2 sections 179.87 to 179.8757 constitutes an adverse action for purposes of establishing a
164.3 violation of that worker's rights. For purposes of this paragraph, "family member" means a
164.4 spouse, parent, sibling, child, uncle, aunt, niece, nephew, cousin, grandparent, or grandchild
164.5 related by blood, adoption, marriage, or domestic partnership.

164.6 Sec. 7. [179.8756] MEATPACKING WORKER CHRONIC INJURIES AND
164.7 WORKPLACE SAFETY.

164.8 Subdivision 1. Facility committee. (a) The meat-processing employer's ergonomics
164.9 program under section 182.677, subdivision 2, must be developed and implemented by a
164.10 committee of individuals who are knowledgeable of the tasks and work processes performed
164.11 by workers at the employer's facility. The committee must include:

164.12 (1) a certified professional ergonomist;

164.13 (2) a licensed, board-certified physician, with preference given to a physician who has
164.14 specialized experience and training in occupational medicine; and

164.15 (3) at least three workers employed in the employer's facility who have completed a
164.16 general industry outreach course approved by the commissioner, one of whom must be an
164.17 authorized employee representative if the employer is party to a collective bargaining
164.18 agreement.

164.19 (b) If it is not practicable for a certified professional ergonomist or a licensed,
164.20 board-certified physician to be a member of the committee required by paragraph (b), the
164.21 meatpacking employer must have their ergonomics program reviewed by a certified
164.22 professional ergonomist and a licensed, board-certified physician prior to implementation
164.23 of the program and annually thereafter.

164.24 Subd. 2. New task and annual safety training. (a) Meat-processing employers must
164.25 provide every worker who is assigned a new task if the worker has no previous work
164.26 experience with training on how to safely perform the task, the ergonomic and other hazards
164.27 associated with the task, and training on the early signs and symptoms of musculoskeletal

173.5 a meatpacking operation's health and safety practices to the employer or otherwise exercised
173.6 any right authorized under sections 182.65 to 182.674.

173.7 (b) No meat-processing employer or other person may attempt to require any worker to
173.8 sign a contract or other agreement that would limit or prevent the worker from disclosing
173.9 information about workplace health and safety practices or hazards, or to otherwise abide
173.10 by a workplace policy that would limit or prevent such disclosures. Any such agreements
173.11 or policies are hereby void and unenforceable as contrary to the public policy of this state.
173.12 An employer's attempt to impose such a contract, agreement, or policy shall constitute an
173.13 adverse action enforceable under section 179.875.

173.14 (c) Reporting or threatening to report a meat-processing worker's suspected citizenship
173.15 or immigration status, or the suspected citizenship or immigration status of a family member
173.16 of the worker, to a federal, state, or local agency because the worker exercises a right under
173.17 sections 179.87 to 179.8757 constitutes an adverse action for purposes of establishing a
173.18 violation of that worker's rights. For purposes of this paragraph, "family member" means a
173.19 spouse, parent, sibling, child, uncle, aunt, niece, nephew, cousin, grandparent, or grandchild
173.20 related by blood, adoption, marriage, or domestic partnership.

173.21 Sec. 7. [179.8756] MEATPACKING WORKER CHRONIC INJURIES AND
173.22 WORKPLACE SAFETY.

173.23 Subdivision 1. Facility committee. (a) The meat-processing employer's ergonomics
173.24 program under section 182.677, subdivision 2, must be developed and implemented by a
173.25 committee of individuals who are knowledgeable of the tasks and work processes performed
173.26 by workers at the employer's facility. The committee must include:

173.27 (1) a certified professional ergonomist;

173.28 (2) a licensed, board-certified physician, with preference given to a physician who has
173.29 specialized experience and training in occupational medicine; and

173.30 (3) at least three workers employed in the employer's facility who have completed a
173.31 general industry outreach course approved by the commissioner, one of whom must be an
173.32 authorized employee representative if the employer is party to a collective bargaining
173.33 agreement.

174.1 (b) If it is not practicable for a certified professional ergonomist or a licensed,
174.2 board-certified physician to be a member of the committee required by paragraph (a), the
174.3 meatpacking employer must have their safe-worker program reviewed by a certified
174.4 professional ergonomist and a licensed, board-certified physician prior to implementation
174.5 of the program and annually thereafter.

174.6 Subd. 2. New task and annual safety training. (a) Meat-processing employers must
174.7 provide every worker who is assigned a new task if the worker has no previous work
174.8 experience with training on how to safely perform the task, the ergonomic and other hazards
174.9 associated with the task, and training on the early signs and symptoms of musculoskeletal

164.28 injuries and the procedures for reporting them. The employer must give a worker an
164.29 opportunity within 30 days of receiving the new task training to receive refresher training
164.30 on the topics covered in the new task training. The employer must provide this training in
164.31 a language and with vocabulary that the employee can understand.

164.32 (b) Meat-processing employers must provide each worker with no less than eight hours
164.33 of safety training each year. This annual training must address health and safety topics that
165.1 are relevant to the establishment and the worker's job assignment, such as cuts, lacerations,
165.2 amputations, machine guarding, biological hazards, lockout/tagout, hazard communication,
165.3 ergonomic hazards, and personal protective equipment. At least two of the eight hours of
165.4 annual training must be on topics related to the facility's ergonomic injury prevention
165.5 program, including the assessment of surveillance data, the ergonomic hazard prevention
165.6 and control plan, and the early signs and symptoms of musculoskeletal disorders and the
165.7 procedures for reporting them. The employer must provide this training in a language and
165.8 with vocabulary that the employee can understand.

165.9 Subd. 3. **Medical services and qualifications.** (a) Meat-processing employers must
165.10 ensure that:

165.11 (1) all first-aid providers, medical assistants, nurses, and physicians engaged by the
165.12 employer are licensed and perform their duties within the scope of their licensed practice;

165.13 (2) medical management of musculoskeletal disorders is under direct supervision of a
165.14 licensed physician specializing in occupational medicine who will advise on best practices
165.15 for management and prevention of work-related musculoskeletal disorders; and

165.16 (3) medical management of musculoskeletal injuries follows the most current version
165.17 of the American College of Occupational and Environmental Medicine practice guidelines.

165.18 (b) The coordinator may compile, analyze, and publish annually, either in summary or
165.19 detailed form, all reports or information obtained under sections 179.87 to 179.8757,
165.20 including information about ergonomics programs, and may cooperate with the United
165.21 States Department of Labor in obtaining national summaries of occupational deaths, injuries,
165.22 and illnesses. The coordinator and authorized employee representative must preserve the
165.23 anonymity of each employee with respect to whom medical reports or information is obtained.

165.24 (c) Meat-processing employers must not institute or maintain any program, policy, or
165.25 practice that discourages employees from reporting injuries, hazards, or safety standard
165.26 violations, unless the employee authorizes employee's information be shared.

165.27 Subd. 4. **Pandemic protections.** (a) This subdivision applies during a public health
165.28 emergency that involves airborne transmission.

165.29 (b) Meat-processing employers must maintain a radius of space around and between
165.30 each worker according to the Centers for Disease Control and Prevention guidelines unless
165.31 a nonporous barrier separates the workers. An employer may accomplish such distancing

174.10 injuries and the procedures for reporting them. The employer must give a worker an
174.11 opportunity within 30 days of receiving the new task training to receive refresher training
174.12 on the topics covered in the new task training. The employer must provide this training in
174.13 a language and with vocabulary that the employee can understand.

174.14 (b) Meat-processing employers must provide each worker with no less than eight hours
174.15 of safety training each year. This annual training must address health and safety topics that
174.16 are relevant to the establishment and the worker's job assignment, such as cuts, lacerations,
174.17 amputations, machine guarding, biological hazards, lockout/tagout, hazard communication,
174.18 ergonomic hazards, and personal protective equipment. At least two of the eight hours of
174.19 annual training must be on topics related to the facility's ergonomic injury prevention
174.20 program, including the assessment of surveillance data, the ergonomic hazard prevention
174.21 and control plan, and the early signs and symptoms of musculoskeletal disorders and the
174.22 procedures for reporting them. The employer must provide this training in a language and
174.23 with vocabulary that the employee can understand.

174.24 Subd. 3. **Medical services and qualifications.** (a) Meat-processing employers must
174.25 ensure that:

174.26 (1) all first-aid providers, medical assistants, nurses, and physicians engaged by the
174.27 employer are licensed and perform their duties within the scope of their licensed practice;

174.28 (2) medical management of musculoskeletal disorders is under direct supervision of a
174.29 licensed physician specializing in occupational medicine who will advise on best practices
174.30 for management and prevention of work-related musculoskeletal disorders; and

174.31 (3) medical management of musculoskeletal injuries follows the most current version
174.32 of the American College of Occupational and Environmental Medicine practice guidelines.

174.33 (b) The coordinator may compile, analyze, and publish annually, either in summary or
174.34 detailed form, all reports or information obtained under sections 179.87 to 179.8757,
175.1 including information about ergonomics programs, and may cooperate with the United
175.2 States Department of Labor in obtaining national summaries of occupational deaths, injuries,
175.3 and illnesses. The coordinator and authorized employee representative must preserve the
175.4 anonymity of each employee with respect to whom medical reports or information is obtained.

175.5 Subd. 4. **Pandemic protections.** (a) This subdivision applies during a peacetime public
175.6 health emergency declared under section 12.31, subdivision 2, that involves airborne
175.7 transmission.

175.8 (b) Meat-processing employers must maintain at least a six-foot radius of space around
175.9 and between each worker unless a nonporous barrier separates the workers. An employer
175.10 may accomplish such distancing by increasing physical space between workstations, slowing

165.32 by increasing physical space between workstations, slowing production speeds, staggering
165.33 shifts and breaks, adjusting shift size, or a combination thereof. The employer must
166.1 reconfigure common or congregate spaces to allow for such distancing, including lunch
166.2 rooms, break rooms, and locker rooms. The employer must reinforce social distancing by
166.3 allowing workers to maintain six feet of distance along with the use of nonporous barriers.

166.4 (c) Meat-processing employers must provide employees with face masks and must make
166.5 face shields available on request. Face masks, including replacement face masks, and face
166.6 shields must be provided at no cost to the employee. All persons present at the meatpacking
166.7 operation must wear face masks in the facility except in those parts of the facility where
166.8 infection risk is low because workers work in isolation.

166.9 (d) Meat-processing employers must provide all meat-processing workers with the ability
166.10 to frequently and routinely sanitize their hands with either hand-washing or hand-sanitizing
166.11 stations. The employer must ensure that restrooms have running hot and cold water and
166.12 paper towels and are in sanitary condition. The employer must provide gloves to those who
166.13 request them.

166.14 (e) Meat-processing employers must clean and regularly disinfect all frequently touched
166.15 surfaces in the workplace, such as workstations, training rooms, machinery controls, tools,
166.16 protective garments, eating surfaces, bathrooms, showers, and other similar areas. Employers
166.17 must install and maintain ventilation systems that ensure unidirectional air flow, outdoor
166.18 air, and filtration in both production areas and common areas such as cafeterias and locker
166.19 rooms.

166.20 (f) Meat-processing employers must disseminate all required communications, notices,
166.21 and any published materials regarding these protections in English, Spanish, and other
166.22 languages as required for employees to understand the communication.

166.23 (g) Consistent with sections 177.253 and 177.254, meat-processing employers must
166.24 provide adequate break time for workers to use the bathroom, wash their hands, and don
166.25 and doff protective equipment. Nothing in this section relieves an employer of its obligation
166.26 to comply with federal and state wage and hour laws.

166.27 (h) Meat-processing employers must provide sufficient personal protective equipment
166.28 for each employee for each shift, plus replacements, at no cost to the employee.
166.29 Meat-processing employers must provide training in proper use of personal protective
166.30 equipment, safety procedures, and sanitation.

166.31 (i) Meat-processing employers must record all injuries and illnesses in the facility and
166.32 make these records available upon request to the health and safety committee. The name,
166.33 contact information, and occupation of an employee, and any other information that would
166.34 reveal the identity of an employee, must be removed. The redacted records must only include,
167.1 to the extent it would not reveal the identity of an employee, the location where the employee
167.2 worked, the date of the injury or visit, a description of the medical treatment or first aid
167.3 provided, and a description of the injury suffered. The employer also must make its records

175.11 production speeds, staggering shifts and breaks, adjusting shift size, or a combination thereof.
175.12 The employer must reconfigure common or congregate spaces to allow for such distancing,
175.13 including lunch rooms, break rooms, and locker rooms. The employer must reinforce social
175.14 distancing by allowing workers to maintain six feet of distance along with the use of
175.15 nonporous barriers.

175.16 (c) Meat-processing employers must provide employees with face masks and must make
175.17 face shields available on request. Face masks, including replacement face masks, and face
175.18 shields must be provided at no cost to the employee. All persons present at the meatpacking
175.19 operation must wear face masks in the facility except in those parts of the facility where
175.20 infection risk is low because workers work in isolation.

175.21 (d) Meat-processing employers must provide all meat-processing workers with the ability
175.22 to frequently and routinely sanitize their hands with either hand-washing or hand-sanitizing
175.23 stations. The employer must ensure that restrooms have running hot and cold water and
175.24 paper towels and are in sanitary condition. The employer must provide gloves to those who
175.25 request them.

175.26 (e) Meat-processing employers must clean and regularly disinfect all frequently touched
175.27 surfaces in the workplace, such as workstations, training rooms, machinery controls, tools,
175.28 protective garments, eating surfaces, bathrooms, showers, and other similar areas. Employers
175.29 must install and maintain ventilation systems that ensure unidirectional air flow, outdoor
175.30 air, and filtration in both production areas and common areas such as cafeterias and locker
175.31 rooms.

175.32 (f) Meat-processing employers must disseminate all required communications, notices,
175.33 and any published materials regarding these protections in English, Spanish, and other
175.34 languages as required for employees to understand the communication.

176.1 (g) Consistent with sections 177.253 and 177.254, meat-processing employers must
176.2 provide adequate break time for workers to use the bathroom, wash their hands, and don
176.3 and doff protective equipment. Nothing in this subdivision relieves an employer of its
176.4 obligation to comply with federal and state wage and hour laws.

176.5 (h) Meat-processing employers must provide sufficient personal protective equipment
176.6 for each employee for each shift, plus replacements, at no cost to the employee.
176.7 Meat-processing employers must provide training in proper use of personal protective
176.8 equipment, safety procedures, and sanitation.

176.9 (i) Meat-processing employers must record all injuries and illnesses in the facility and
176.10 make these records available upon request to the health and safety committee. The name,
176.11 contact information, and occupation of an employee, and any other information that would
176.12 reveal the identity of an employee, must be removed. The redacted records must only include,
176.13 to the extent it would not reveal the identity of an employee, the location where the employee
176.14 worked, the date of the injury or visit, a description of the medical treatment or first aid
176.15 provided, and a description of the injury suffered. The employer also must make its records

167.4 available to the commissioner, and where there is a collective bargaining agreement, to the
167.5 authorized bargaining representative.

167.6 (j) Except for paragraphs (f) and (g), this section shall be enforced by the commissioner
167.7 under sections 182.66 and 182.661. A violation of this section is subject to the penalties
167.8 provided under section 182.666. Paragraphs (f) and (g) are enforceable by the commissioner
167.9 as described in section 179.875, subdivision 2.

167.10 (k) This subdivision may also be enforced as described in section 179.875, subdivisions
167.11 3 to 6.

167.12 Sec. 8. [179.8757] NOTIFICATION REQUIRED.

167.13 (a) Meat-processing employers must provide written information and notifications about
167.14 employee rights under section 179.86 and sections 179.87 to 179.8757 to workers in their
167.15 language of fluency at least annually. If a worker is unable to understand written information
167.16 and notifications, the employer must provide such information and notices orally in the
167.17 worker's language of fluency.

167.18 (b) The coordinator must notify covered employers of the provisions of sections 179.87
167.19 to 179.8757 and any recent updates at least annually.

167.20 (c) The coordinator must place information explaining sections 179.87 to 179.8757 on
167.21 the Department of Labor and Industry's website in at least English, Spanish, and any other
167.22 language that at least ten percent of meat-processing workers communicate in fluently. The
167.23 coordinator must also make the information accessible to persons with impaired visual
167.24 acuity.

167.25 Sec. 9. Minnesota Statutes 2022, section 182.654, subdivision 11, is amended to read:

167.26 Subd. 11. **Refusal to work under dangerous conditions.** An employee acting in good
167.27 faith has the right to refuse to work under conditions which the employee reasonably believes
167.28 present an imminent danger of death or serious physical harm to the employee.

167.29 A reasonable belief of imminent danger of death or serious physical harm includes but
167.30 is not limited to a reasonable belief of the employee that the employee has been assigned
167.31 to work in an unsafe or unhealthful manner with a hazardous substance, harmful physical
167.32 agent or infectious agent.

168.1 An employer may not discriminate against an employee for a good faith refusal to
168.2 perform assigned tasks if the employee has requested that the employer correct the hazardous
168.3 conditions but the conditions remain uncorrected.

176.16 available to the commissioner, and where there is a collective bargaining agreement, to the
176.17 authorized bargaining representative.

176.18 (j) Except for paragraphs (f) and (g), this subdivision shall be enforced by the
176.19 commissioner under sections 182.66 and 182.661. A violation of this subdivision is subject
176.20 to the penalties provided under section 182.666. Paragraphs (f) and (g) are enforceable by
176.21 the commissioner as described in section 179.875, subdivision 2.

176.22 (k) The entirety of this subdivision may also be enforced as described in section 179.875,
176.23 subdivisions 3 to 6.

176.24 **EFFECTIVE DATE.** This section is effective November 1, 2023, except subdivision
176.25 4, which is effective July 1, 2023.

176.26 Sec. 8. [179.8757] NOTIFICATION REQUIRED.

176.27 (a) Meat-processing employers must provide written information and notifications about
176.28 employee rights under section 179.86 and sections 179.87 to 179.8757 to workers in their
176.29 language of fluency at least annually. If a worker is unable to understand written information
176.30 and notifications, the employer must provide such information and notices orally in the
176.31 worker's language of fluency.

176.32 (b) The coordinator must notify covered employers of the provisions of sections 179.87
176.33 to 179.8757 and any recent updates at least annually.

177.1 (c) The coordinator must place information explaining sections 179.87 to 179.8757 on
177.2 the Department of Labor and Industry's website in at least English, Spanish, and any other
177.3 language that at least ten percent of meat-processing workers communicate in fluently. The
177.4 coordinator must also make the information accessible to persons with impaired visual
177.5 acuity.

177.6 **EFFECTIVE DATE.** This section is effective November 1, 2023.

177.7 Sec. 9. Minnesota Statutes 2022, section 182.654, subdivision 11, is amended to read:

177.8 Subd. 11. **Refusal to work under dangerous conditions.** An employee acting in good
177.9 faith has the right to refuse to work under conditions which the employee reasonably believes
177.10 present an imminent danger of death or serious physical harm to the employee.

177.11 A reasonable belief of imminent danger of death or serious physical harm includes but
177.12 is not limited to a reasonable belief of the employee that the employee has been assigned
177.13 to work in an unsafe or unhealthful manner with a hazardous substance, harmful physical
177.14 agent or infectious agent.

177.15 An employer may not discriminate against an employee for a good faith refusal to
177.16 perform assigned tasks if the employee has requested that the employer correct the hazardous
177.17 conditions but the conditions remain uncorrected.

168.4 An employee who has refused in good faith to perform assigned tasks and who has not
168.5 been reassigned to other tasks by the employer shall, in addition to retaining a right to
168.6 continued employment, receive pay for the tasks which would have been performed if (1)
168.7 the employee requests the commissioner to inspect and determine the nature of the hazardous
168.8 condition, and (2) the commissioner determines that the employee, by performing the
168.9 assigned tasks, would have been placed in imminent danger of death or serious physical
168.10 harm.

168.11 Additionally, an administrative law judge may order, in addition to the relief found in
168.12 section 182.669:

168.13 (1) reinstatement of the worker to the same position held before any adverse personnel
168.14 action or to an equivalent position; reinstatement of full fringe benefits and seniority rights;
168.15 and compensation for unpaid wages, benefits and other remuneration; or front pay in lieu
168.16 of reinstatement; and

168.17 (2) compensatory damages payable to the aggrieved worker equal to the greater of \$5,000
168.18 or twice the actual damages, including unpaid wages, benefits and other remuneration; and
168.19 punitive damages.

177.18 An employee who has refused in good faith to perform assigned tasks and who has not
177.19 been reassigned to other tasks by the employer shall, in addition to retaining a right to
177.20 continued employment, receive pay for the tasks which would have been performed if (1)
177.21 the employee requests the commissioner to inspect and determine the nature of the hazardous
177.22 condition, and (2) the commissioner determines that the employee, by performing the
177.23 assigned tasks, would have been placed in imminent danger of death or serious physical
177.24 harm.

177.25 Additionally, an administrative law judge may order, in addition to the relief found in
177.26 section 182.669:

177.27 (1) reinstatement of the worker to the same position held before any adverse personnel
177.28 action or to an equivalent position; reinstatement of full fringe benefits and seniority rights;
177.29 compensation for unpaid wages, benefits, and other remuneration; or front pay in lieu of
177.30 reinstatement; and

177.31 (2) compensatory damages payable to the aggrieved worker equal to the greater of \$5,000
177.32 or twice the actual damages, including unpaid wages, benefits, and other remuneration and
177.33 punitive damages.