219.79 CONTRIBUTORY NEGLIGENCE DOES NOT BAR RECOVERY.

Subdivision 1. **When damages reduced.** In an action brought against an employer under or by virtue of sections 219.77 to 219.83, to recover damages for death or personal injury of the employee, the fact that the employee may have been guilty of contributory negligence does not bar a recovery but the damages must be diminished by the jury in proportion to the amount of negligence attributable to that employee.

Subd. 2. **When damages not reduced.** An employee who is injured or killed may not be found guilty of contributory negligence when the employer's violation of a statute enacted for the safety of employees contributed to the injury or death of the employee.

History: *(4935) 1915 c 187 s 3; 1985 c 265 art 4 s 1*