

Minnesota Proposed Family Paid Leave Battle Begins

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Earlier this month, proposed legislation - [House File 580](#) - was introduced in both the State House and Senate that, among other things, would provide for paid family leave in Minnesota. This proposed legislation has gained the support of several public interest groups and trade unions and objections from most employers. If passed, Minnesota would join California, New Jersey and Rhode Island in providing for some form of compensation to eligible employees for parental or family caregiving leave. House File 580 would require both employers and employees to pay premiums to a state insurance program to fund some of this paid leave. The mandatory premiums would equal 0.1 percent of the first \$78,000 of wages paid to the employee, or \$78 per year. An employee taking a leave under this proposed legislation would be paid a certain amount of benefits based on the employee's wages, not to exceed \$1,000 per week, and the payments would be paid bi-weekly for up to six (6) weeks. All of this would be administered by the Department of Labor and Industry. The impact of the proposed legislation will be felt by both small and large employers. House File 580 would apply to **any** Minnesota employer with **one (1) or more** employees. This differs from Minnesota's current pregnancy and parental leave laws (which were amended in May 2014 and increased the length of such leave to 12 weeks) and applies only to Minnesota employers with **21 or more** employees. Also, under House File 580, an employee would be eligible for such paid leave if he or she worked at least 680 hours or at least 17 weeks. Again, this is contrast to the existing leave laws which provide that an employee is eligible for such leave after working the prior 12 months and such employment was at least half of the full-time equivalent. Finally, the proposed legislation would expand leave rights to include foster parents in connection with the placement of a foster child and employees who are away from work to care for a family member with a serious health condition. Under the "caregiver" portion of House File 580, a "family member" would include the employee's child, adult child, sibling, spouse, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent. Needless to say, House File 580 is one for all Minnesota employers to watch.

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