

Approved by
Revisor of Statutes



1.1 Lesch from the Judiciary Finance and Civil Law Division to which was referred:

1.2 H. F. No. 5, A bill for an act relating to employment; providing for paid family,
1.3 pregnancy, bonding, and applicant's serious medical condition benefits; regulating and
1.4 requiring certain employment leaves; classifying certain data; authorizing rulemaking;
1.5 appropriating money; amending Minnesota Statutes 2018, sections 13.719, by adding a
1.6 subdivision; 177.27, subdivision 4; 181.032; 256J.561, by adding a subdivision; 256J.95,
1.7 subdivisions 3, 11; 256P.01, subdivision 3; 268.19, subdivision 1; 290.0132, by adding a
1.8 subdivision; proposing coding for new law as Minnesota Statutes, chapter 268B.

1.9 Reported the same back with the following amendments:

1.10 Page 2, line 5, after "268B.09" insert ", subdivisions 1 to 6"

1.11 Page 5, line 27, before the period, insert ", unless otherwise indicated by context"

1.12 Page 6, line 1, before "means" insert "or 'day'"

1.13 Page 6, after line 6, insert:

1.14 "Subd. 11. Continuing treatment. A serious health condition involving continuing
1.15 treatment by a health care provider includes any one or more of the following:

1.16 (1) a period of incapacity of more than three consecutive, full calendar days, and any
1.17 subsequent treatment or period of incapacity relating to the same condition, that also involves:

1.18 (i) treatment two or more times within 30 calendar days of the first day of incapacity,
1.19 unless extenuating circumstances exist, by a health care provider; or

1.20 (ii) treatment by a health care provider on at least one occasion that results in a regimen
1.21 of continuing treatment under the supervision of the health care provider;

1.22 (2) any period of incapacity or treatment for such incapacity due to a chronic serious
1.23 health condition. A chronic serious health condition is one that:

1.24 (i) requires periodic visits, defined as at least twice per year, for treatment for the
1.25 incapacity by a health care provider;

(ii) continues over an extended period of time, including recurring episodes of a single underlying condition; and

(iii) may cause episodic rather than a continuing period of incapacity;

(3) a period of incapacity that is long-term due to a condition for which treatment may not be effective, with the employee or family member under the supervision of, but not necessarily receiving active treatment by a health care provider; and

(4) any period of absence to receive multiple treatments by a health care provider, including any period of recovery therefrom, for:

(i) restorative surgery after an accident or other injury; or

(ii) a condition that would likely result in a period of incapacity of more than seven consecutive, calendar days in the absence of medical intervention or treatment, such as cancer, severe arthritis, or kidney disease."

Page 6, delete subdivision 12

Page 6, line 28, delete everything after the period

Page 6, delete line 29

Page 6, line 31, before the period, insert "except that a self-employed individual who has elected and been approved for coverage under section 268B.11 is not considered an employer with regard to the self-employed individual's own coverage and benefits"

Page 6, after line 31, insert:

"Subd. 17. **Estimated self-employment income.** "Estimated self-employment income" means a self-employed individual's average net earnings from self-employment in the two most recent taxable years. For a self-employed individual who had net earnings from self-employment in only one of the years, the individual's estimated self-employment income equals the individual's net earnings from self-employment in the year in which the individual had net earnings from self-employment."

Page 7, delete subdivision 19 and insert:

"Subd. 19. **Family member.** (a) "Family member" means an employee's child, adult child, spouse, sibling, parent, parent-in-law, grandchild, grandparent, stepparent, member of the employee's household, or an individual described in paragraph (e).

(b) For the purposes of this chapter, a child includes a stepchild, biological, adopted, or foster child of the employee.

3.1 (c) For the purposes of this chapter, a grandchild includes a step-grandchild, biological,
3.2 adopted, or foster grandchild of the employee.

3.3 (d) For the purposes of this chapter, an individual is a member of the employee's
3.4 household if the individual has resided at the same address as the employee for at least one
3.5 year as of the first day of a leave under this chapter.

3.6 (e) For the purposes of this chapter, an individual with a serious health condition is
3.7 deemed a family member of the employee if (1) a health care provider certifies in writing
3.8 that the individual requires care relating to the serious health condition, and (2) the employee
3.9 and the care recipient certify in writing that the employee will be providing the required
3.10 care."

3.11 Page 8, after line 11, insert:

3.12 "Subd. 23. **Inpatient care.** "Inpatient care" means an overnight stay in a hospital, hospice,
3.13 or residential medical care facility, including any period of incapacity defined under
3.14 subdivision 33, paragraph (b), or any subsequent treatment in connection with such inpatient
3.15 care."

3.16 Page 8, after line 16, insert:

3.17 "Subd. 25. **Net earnings from self-employment.** "Net earnings from self-employment"
3.18 has the meaning given in section 1402 of the Internal Revenue Code, as defined in section
3.19 290.01, subdivision 31."

3.20 Page 8 delete subdivisions 27 and 28 and insert:

3.21 "Subd. 27. **Qualifying exigency.** (a) "Qualifying exigency" means a need arising out of
3.22 a military member's active duty service or notice of an impending call or order to active
3.23 duty in the United States armed forces, including providing for the care or other needs of
3.24 the family member's child or other dependent, making financial or legal arrangements for
3.25 the family member, attending counseling, attending military events or ceremonies, spending
3.26 time with the family member during a rest and recuperation leave or following return from
3.27 deployment, or making arrangements following the death of the military member.

3.28 (b) For the purposes of this chapter, a "military member" means a current or former
3.29 member of the United States armed forces, including a member of the National Guard or
3.30 reserves, who, except for a deceased military member, is a resident of the state and is a
3.31 family member of the employee taking leave related to the qualifying exigency."

3.32 Page 9, delete subdivisions 30 and 31 and insert:

4.1 "Subd. 30. Self-employed individual. "Self-employed individual" means a resident of
4.2 the state who, in one of the two taxable years preceding the current calendar year, derived
4.3 at least \$10,000 in net earnings from self-employment from an entity other than an S
4.4 corporation for the performance of services in this state.

4.5 Subd. 31. Self-employment premium base. "Self-employment premium base" means
4.6 the lesser of:

4.7 (1) a self-employed individual's estimated self-employment income for the calendar year
4.8 plus the individual's self-employment wages in the calendar year; or

4.9 (2) the maximum earnings subject to the FICA Old-Age, Survivors, and Disability
4.10 Insurance tax in the taxable year.

4.11 Subd. 32. Self-employment wages. "Self-employment wages" means the amount of
4.12 wages that a self-employed individual earned in the calendar year from an entity from which
4.13 the individual also received net earnings from self-employment.

4.14 Subd. 33. Serious health condition. (a) "Serious health condition" means an illness,
4.15 injury, impairment, or physical or mental condition that involves inpatient care as defined
4.16 in subdivision 24 or continuing treatment by a health care provider as defined in subdivision
4.17 11.

4.18 (b) "Incapacity" means inability to work, attend school, or perform other regular daily
4.19 activities due to the serious health condition, treatment therefore, or recovery therefrom.

4.20 (c) Treatment includes but is not limited to examinations to determine if a serious health
4.21 condition exists and evaluations of the condition. Treatment does not include routine physical
4.22 examinations, eye examinations, or dental examinations. A regimen of continuing treatment
4.23 includes, for example, a course of prescription medication or therapy requiring special
4.24 equipment to resolve or alleviate the health condition. A regimen of continuing treatment
4.25 that includes taking over-the-counter medications such as aspirin, antihistamines, or salves;
4.26 or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without
4.27 a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of
4.28 continuing treatment for purposes of leave or benefits under this chapter.

4.29 (d) Conditions for which cosmetic treatments are administered, such as most treatments
4.30 for acne or plastic surgery, are not serious health conditions unless inpatient hospital care
4.31 is required or unless complications develop. Ordinarily, unless complications arise, the
4.32 common cold, the flu, earaches, upset stomach, minor ulcers, headaches other than migraine,
4.33 routine dental or orthodontia problems, periodontal disease, and the like are examples of

5.1 conditions that do not meet the definition of a serious health condition and do not qualify
5.2 for leave or benefits under this chapter. Restorative dental or plastic surgery after an injury
5.3 or removal of a cancerous growth are serious health conditions provided all the other
5.4 conditions of this subdivision are met. Mental illness or allergies may be serious health
5.5 conditions if all of the conditions of this subdivision are met."

5.6 Page 9, after line 21, insert:

5.7 "Subd. 33. **Taxable year.** "Taxable year" has the meaning given in section 290.01,
5.8 subdivision 9."

5.9 Page 10, after line 20, insert:

5.10 "(c) The commissioner must use the rulemaking authority under section 268B.02,
5.11 subdivision 3, to adopt rules regarding what serious health conditions and other events are
5.12 prospectively presumed to constitute seven-day qualifying events under this chapter."

5.13 Page 10, line 21, before "An" insert "(a)"

5.14 Page 10, after line 22, insert:

5.15 "(b) An applicant is not eligible for benefits for any day for which the applicant received
5.16 benefits under chapter 176 or 268."

5.17 Page 10, delete subdivision 7 and insert:

5.18 "Subd. 7. **Self-employed individual applicant.** To fulfill the requirements of this section,
5.19 a self-employed individual who has elected and been approved for coverage under section
5.20 268B.011 must fulfill only the requirements of subdivisions 3, 4, 5, and 6."

5.21 Page 11, lines 17, 22, and 27, delete "qualified"

5.22 Page 12, line 1, delete "qualified"

5.23 Page 12, after line 16, insert:

5.24 "(h) Certifications under paragraphs (a) to (e) must be reviewed and signed by a health
5.25 care provider with knowledge of the qualifying event associated with the leave.

5.26 (i) For a leave taken on an intermittent or reduced-schedule basis, based on a serious
5.27 health condition of an applicant or applicant's family member, the certification under this
5.28 subdivision must include an explanation of how such leave would be medically beneficial
5.29 to the individual with the serious health condition."

5.30 Page 13, line 26, delete "send" and insert "serve"

5.31 Page 14, line 2, delete "of the receipt" and insert "after service"

6.1 Page 14, line 30, delete everything after "to" and insert "12 weeks of benefits in a single
6.2 benefit year for leave related to one or more qualifying exigencies."

6.3 Page 14, delete line 31

6.4 Page 15, line 1, delete "Any" and insert "Except for a claim for benefits for bonding
6.5 leave, any"

6.6 Page 15, delete subdivisions 5 and 7

6.7 Page 15, after line 28, insert:

6.8 "Sec. 13. [268B.085] LEAVE.

6.9 Subdivision 1. Right to leave. An employee has a right to leave from employment for
6.10 any day, or portion of a day, for which the employee would be eligible for benefits under
6.11 this chapter, regardless of whether the employee actually applied for benefits and regardless
6.12 of whether the employee is covered under a private plan or the public program under this
6.13 chapter.

6.14 Subd. 2. Notice to employer. (a) If the need for leave is foreseeable, an employee must
6.15 provide the employer at least 30 days' advance notice before leave under this chapter is to
6.16 begin. If 30 days' notice is not practicable because of a lack of knowledge of approximately
6.17 when leave will be required to begin, a change in circumstances, or a medical emergency,
6.18 notice must be given as soon as practicable. Whether leave is to be continuous or is to be
6.19 taken intermittently or on a reduced schedule basis, notice need only be given one time, but
6.20 the employee must advise the employer as soon as practicable if dates of scheduled leave
6.21 change or are extended, or were initially unknown. In those cases where the employee is
6.22 required to provide at least 30 days' notice of foreseeable leave and does not do so, the
6.23 employee must explain the reasons why such notice was not practicable upon a request from
6.24 the employer for such information.

6.25 (b) "As soon as practicable" means as soon as both possible and practical, taking into
6.26 account all of the facts and circumstances in the individual case. When an employee becomes
6.27 aware of a need for leave under this chapter less than 30 days in advance, it should be
6.28 practicable for the employee to provide notice of the need for leave either the same day or
6.29 the next day, unless the need for leave is based on a medical emergency. In all cases,
6.30 however, the determination of when an employee could practicably provide notice must
6.31 take into account the individual facts and circumstances.

6.32 (c) An employee shall provide at least verbal notice sufficient to make the employer
6.33 aware that the employee needs leave allowed under this chapter and the anticipated timing

7.1 and duration of the leave. An employer may require an employee giving notice of leave to
7.2 include a certification for the leave as described in section 268B.04, subdivision 2. Such
7.3 certification, if required by an employer, is timely when the employee delivers it as soon
7.4 as practicable given the circumstances requiring the need for leave, and the required contents
7.5 of the certification.

7.6 (d) An employer may require an employee to comply with the employer's usual and
7.7 customary notice and procedural requirements for requesting leave, absent unusual
7.8 circumstances or other circumstances caused by the reason for the employee's need for
7.9 leave. Leave under this chapter must not be delayed or denied where an employer's usual
7.10 and customary notice or procedural requirements require notice to be given sooner than set
7.11 forth in this subdivision.

7.12 (e) If an employer has failed to provide notice to the employee as required under section
7.13 268B.22, paragraph (a), (b), or (e), the employee is not required to comply with the notice
7.14 requirements of this subdivision.

7.15 Subd. 3. **Bonding leave.** Bonding leave taken under this chapter begins at a time requested
7.16 by the employee. Bonding leave must begin within 12 months of the birth, adoption, or
7.17 placement of a foster child, except that, in the case where the child must remain in the
7.18 hospital longer than the mother, the leave must begin within 12 months after the child leaves
7.19 the hospital.

7.20 Subd. 4. **Intermittent or reduced leave schedule.** (a) Leave under this chapter, based
7.21 on a serious health condition, may be taken intermittently or on a reduced leave schedule
7.22 if such leave would be medically beneficial to the individual with the serious health condition.
7.23 For all other leaves under this chapter, leave may be taken intermittently or on a reduced
7.24 leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single,
7.25 seven-day qualifying event. A reduced leave schedule is a leave schedule that reduces an
7.26 employee's usual number of working hours per workweek or hours per workday.

7.27 (b) Leave taken intermittently or on a reduced schedule basis counts toward the
7.28 maximums described in section 268B.08, subdivision 3."

7.29 Page 16, delete subdivision 6 and insert:

7.30 "Subd. 6. **Employee right to reinstatement.** (a) On return from leave under this chapter,
7.31 an employee is entitled to be returned to the same position the employee held when leave
7.32 commenced or to an equivalent position with equivalent benefits, pay, and other terms and
7.33 conditions of employment. An employee is entitled to such reinstatement even if the

8.1 employee has been replaced or the employee's position has been restructured to accommodate
8.2 the employee's absence.

8.3 (b)(1) An equivalent position is one that is virtually identical to the employee's former
8.4 position in terms of pay, benefits, and working conditions, including privileges, prerequisites,
8.5 and status. It must involve the same or substantially similar duties and responsibilities,
8.6 which must entail substantially equivalent skill, effort, responsibility, and authority.

8.7 (2) If an employee is no longer qualified for the position because of the employee's
8.8 inability to attend a necessary course, renew a license, fly a minimum number of hours, or
8.9 the like, as a result of the leave, the employee must be given a reasonable opportunity to
8.10 fulfill those conditions upon return from leave.

8.11 (c)(1) An employee is entitled to any unconditional pay increases which may have
8.12 occurred during the leave period, such as cost of living increases. Pay increases conditioned
8.13 upon seniority, length of service, or work performed must be granted in accordance with
8.14 the employer's policy or practice with respect to other employees on an equivalent leave
8.15 status for a reason that does not qualify for leave under this chapter. An employee is entitled
8.16 to be restored to a position with the same or equivalent pay premiums, such as a shift
8.17 differential. If an employee departed from a position averaging ten hours of overtime, and
8.18 corresponding overtime pay, each week an employee is ordinarily entitled to such a position
8.19 on return from leave under this chapter.

8.20 (2) Equivalent pay includes any bonus or payment, whether it is discretionary or
8.21 nondiscretionary, made to employees consistent with the provisions of clause (1). However,
8.22 if a bonus or other payment is based on the achievement of a specified goal such as hours
8.23 worked, products sold, or perfect attendance, and the employee has not met the goal due to
8.24 leave under this chapter, the payment may be denied, unless otherwise paid to employees
8.25 on an equivalent leave status for a reason that does not qualify for leave under this chapter.

8.26 (d) Benefits under this section include all benefits provided or made available to
8.27 employees by an employer, including group life insurance, health insurance, disability
8.28 insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether
8.29 such benefits are provided by a practice or written policy of an employer through an employee
8.30 benefit plan as defined in section 3(3) of United States Code, title 29, section 1002(3).

8.31 (1) At the end of an employee's leave under this chapter, benefits must be resumed in
8.32 the same manner and at the same levels as provided when the leave began, and subject to
8.33 any changes in benefit levels that may have taken place during the period of leave affecting
8.34 the entire workforce, unless otherwise elected by the employee. Upon return from a leave

9.1 under this chapter, an employee cannot be required to requalify for any benefits the employee
9.2 enjoyed before leave began, including family or dependent coverages.

9.3 (2) An employee may, but is not entitled to, accrue any additional benefits or seniority
9.4 during a leave under this chapter. Benefits accrued at the time leave began, however, must
9.5 be available to an employee upon return from leave.

9.6 (3) With respect to pension and other retirement plans, leave under this chapter must
9.7 not be treated as or counted toward a break in service for purposes of vesting and eligibility
9.8 to participate. Also, if the plan requires an employee to be employed on a specific date in
9.9 order to be credited with a year of service for vesting, contributions, or participation purposes,
9.10 an employee on leave under this chapter must be treated as employed on that date. However,
9.11 periods of leave under this chapter need not be treated as credited service for purposes of
9.12 benefit accrual, vesting, and eligibility to participate.

9.13 (4) Employees on leave under this chapter must be treated as if they continued to work
9.14 for purposes of changes to benefit plans. Employees on leave under this chapter are entitled
9.15 to changes in benefit plans, except those which may be dependent upon seniority or accrual
9.16 during the leave period, immediately upon return from leave or to the same extent they
9.17 would have qualified if no leave had been taken.

9.18 (e) An equivalent position must have substantially similar duties, conditions,
9.19 responsibilities, privileges, and status as the employee's original position.

9.20 (1) The employee must be reinstated to the same or a geographically proximate worksite
9.21 from where the employee had previously been employed. If the employee's original worksite
9.22 has been closed, the employee is entitled to the same rights as if the employee had not been
9.23 on leave when the worksite closed.

9.24 (2) The employee is ordinarily entitled to return to the same shift or the same or an
9.25 equivalent work schedule.

9.26 (3) The employee must have the same or an equivalent opportunity for bonuses,
9.27 profit-sharing, and other similar discretionary and nondiscretionary payments.

9.28 (4) This chapter does not prohibit an employer from accommodating an employee's
9.29 request to be restored to a different shift, schedule, or position which better suits the
9.30 employee's personal needs on return from leave, or to offer a promotion to a better position.
9.31 However, an employee must not be induced by the employer to accept a different position
9.32 against the employee's wishes.

10.1 (f) The requirement that an employee be restored to the same or equivalent job with the
10.2 same or equivalent pay, benefits, and terms and conditions of employment does not extend
10.3 to de minimis, intangible, or unmeasurable aspects of the job.

10.4 Subd. 7. Limitations on an employee's right to reinstatement. An employee has no
10.5 greater right to reinstatement or to other benefits and conditions of employment than if the
10.6 employee had been continuously employed during the period of leave under this chapter.
10.7 An employer must be able to show that an employee would not otherwise have been
10.8 employed at the time reinstatement is requested in order to deny restoration to employment.

10.9 (1) If an employee is laid off during the course of taking a leave under this chapter and
10.10 employment is terminated, the employer's responsibility to continue the leave, maintain
10.11 group health plan benefits, and restore the employee cease at the time the employee is laid
10.12 off, provided the employer has no continuing obligations under a collective bargaining
10.13 agreement or otherwise. An employer would have the burden of proving that an employee
10.14 would have been laid off during the period of leave under this chapter and, therefore, would
10.15 not be entitled to restoration. Restoration to a job slated for layoff when the employee's
10.16 original position would not meet the requirements of an equivalent position.

10.17 (2) If a shift has been eliminated or overtime has been decreased, an employee would
10.18 not be entitled to return to work that shift or the original overtime hours upon restoration.
10.19 However, if a position on, for example, a night shift has been filled by another employee,
10.20 the employee is entitled to return to the same shift on which employed before taking leave
10.21 under this chapter.

10.22 (3) If an employee was hired for a specific term or only to perform work on a discrete
10.23 project, the employer has no obligation to restore the employee if the employment term or
10.24 project is over and the employer would not otherwise have continued to employ the
10.25 employee."

10.26 Page 17, after line 5, insert:

10.27 "(d) Nothing in this section or section 268B.09 shall be construed to allow an employee
10.28 to recover damages from an employer for the denial of benefits under this chapter by the
10.29 department, unless the employer unlawfully interfered with the application for benefits
10.30 under section 268B.09, subdivision 2."

10.31 Page 17, delete section 14

10.32 Page 19, line 20, delete "an annual" and insert "a"

10.33 Page 19, line 21, delete everything after "to"

11.1 Page 19, line 22, delete everything before the period and insert "\$250 for employers
11.2 with fewer than 50 employees, \$500 for employers with 50 to 499 employees, and \$1,000
11.3 for employers with 500 or more employees. The employer must pay this fee (1) upon initial
11.4 application for private plan approval and (2) any time the employer applies to amend the
11.5 private plan"

11.6 Page 20, delete subdivision 7 and insert:

11.7 "Subd. 7. **Appeals.** An employer may appeal any adverse action regarding that employer's
11.8 private plan to the commissioner, in a manner specified by the commissioner."

11.9 Page 21, line 10, after "appeal" insert "to the commissioner" and delete "in section
11.10 268B.07" and insert "by the commissioner under subdivision 7."

11.11 Page 21, line 27, delete "in section"

11.12 Page 21, line 28, delete "268B.07" and insert "by the commissioner under subdivision
11.13 7"

11.14 Page 22, delete section 16 and insert:

11.15 "Sec. 16. [268B.11] SELF-EMPLOYED ELECTION OF COVERAGE.

11.16 Subdivision 1. Election of coverage. (a) A self-employed individual may file with the
11.17 commissioner by electronic transmission in a format prescribed by the commissioner an
11.18 application to be eligible for benefits under this chapter for a period not less than 104
11.19 consecutive calendar weeks. Upon the approval of the commissioner, sent by United States
11.20 mail or electronic transmission, the individual is covered as an employee under this chapter
11.21 beginning the calendar quarter after the date of approval or beginning in a later calendar
11.22 quarter if requested by the self-employed individual. The individual ceases to be covered
11.23 as of the first day of January of any calendar year only if, at least 30 calendar days before
11.24 the first day of January, the individual has filed with the commissioner by electronic
11.25 transmission in a format prescribed by the commissioner a notice to that effect.

11.26 (b) The commissioner may terminate any application approved under this section with
11.27 30 calendar days' notice sent by United States mail or electronic transmission if the
11.28 self-employed individual is delinquent on any premiums due under this chapter an election
11.29 agreement. If an approved application is terminated in this manner during the first 104
11.30 consecutive calendar weeks of election, the self-employed individual remains obligated to
11.31 pay the premium under subdivision 3 for the remainder of that 104-week period.

12.1 Subd. 2. **Application** A self-employed individual who applies for coverage under this
12.2 section must provide the commissioner with (1) the amount of the individual's net earnings
12.3 from self-employment, if any, from the two most recent taxable years and all tax documents
12.4 necessary to prove the accuracy of the amounts reported and (2) any other documentation
12.5 the commissioner requires. A self-employed individual who is covered under this chapter
12.6 must annually provide the commissioner with the amount of the individual's net earnings
12.7 from self-employment within 30 days of filing a federal income tax return.

12.8 Subd. 3. **Premium.** A self-employed individual who elects to receive coverage under
12.9 this chapter must annually pay a premium equal to one-half the percentage in section
12.10 268B.12, subdivision 4, clause (1), times the lesser of:

12.11 (1) the individual's self-employment premium base; or

12.12 (2) the maximum earnings subject to the FICA Old-Age, Survivors, and Disability
12.13 Insurance tax.

12.14 Subd. 4. **Benefits.** Notwithstanding anything to the contrary, a self-employed individual
12.15 who has applied to and been approved for coverage by the commissioner under this section
12.16 is entitled to benefits on the same basis as an employee under this chapter, except that a
12.17 self-employed individual's weekly benefit amount under section 268B.08, subdivision 1,
12.18 must calculated as a percentage of the self-employed individual's self-employment premium
12.19 base, rather than wages."

12.20 Page 22, line 23, delete everything after "Each" and insert "person or entity required, or
12.21 who elected, to register for a tax account under sections 268.042, 268.045, and 268.046"

12.22 Page 22, line 24, delete "insurance program"

12.23 Page 22, line 27, delete everything after "Each" and insert "person or entity required, or
12.24 who elected, to register for a reimbursable account under sections 268.042, 268.045, and
12.25 268.046 must pay"

12.26 Page 22, line 30, after "section" insert "177.24, subdivision 4, or" and after "181.06"
12.27 insert ", subdivision 1"

12.28 Page 23, delete lines 3 to 4 and insert "section must not cause an employee's wage, after
12.29 the deduction, to fall below the rate required to be paid to the worker by law, including any
12.30 applicable statute, regulation, rule, ordinance, government resolution or policy, contract, or
12.31 other legal authority, whichever rate of pay is greater."

12.32 Page 28, line 20, delete "MEDIATION AND" and before the period insert "SERVICES"

13.1 Page 28, line 21, delete "department must" and insert "Department of Labor and Industry
13.2 may" and delete "mediation and"

13.3 Page 28, line 22, delete "applicants" and insert "employees" and delete "benefits under
13.4 this chapter" and insert "alleged violations of employment protections identified in section
13.5 268B.09" and delete everything after the period

13.6 Page 28, delete lines 23 and 24

13.7 Page 30, line 2, delete "self-employed" and insert "independent contractors"

13.8 Page 30, line 3, delete "individuals"

13.9 Page 30, lines 20 and 27, delete "self-employed individual" and insert "independent
13.10 contractor"

13.11 Page 31, line 12, delete the third "or"

13.12 Page 31, line 15, delete the period and insert "; or"

13.13 Page 31, after line 15, insert:

13.14 "(3) limit the parties to a collective bargaining agreement from bargaining and agreeing
13.15 with respect to leave benefits and related procedures and employee protections that meet
13.16 or exceed, and do not otherwise conflict with, the minimum standards and requirements in
13.17 this chapter."

13.18 Renumber the subdivisions in sequence

13.19 Renumber the sections in sequence and correct the internal references

13.20 With the recommendation that when so amended the bill be returned to the Committee
13.21 on Ways and Means.

13.22 This Division action taken March 11, 2019

13.23 Chair