

ARTICLE 4

UNEMPLOYMENT INSURANCE

65.26

65.27

65.28 Section 1. Minnesota Statutes 2020, section 268.035, subdivision 21c, is amended to read:

65.29 Subd. 21c. **Reemployment assistance training.** (a) An applicant is in "reemployment
65.30 assistance training" when:

66.1 (1)(i) a reasonable opportunity for suitable employment for the applicant does not exist
66.2 in the labor market area and additional training will assist the applicant in obtaining suitable
66.3 employment;

66.4 (2) (i) the curriculum, facilities, staff, and other essentials are adequate to achieve the
66.5 training objective;

66.6 (3) (iii) the training is vocational or short term academic training directed to an occupation
66.7 or skill that will substantially enhance the employment opportunities available to the applicant
66.8 in the applicant's labor market area;

66.9 (4) (iv) the training course is full time by the training provider; and

66.10 (5) (v) the applicant is making satisfactory progress in the training;

66.11 (2) the applicant can provide proof of enrollment in one or more programs offered by
66.12 an adult basic education consortium under section 124D.518. Programs may include but
66.13 are not limited to:

66.14 (i) general educational development diploma preparation;

66.15 (ii) local credit completion adult high school diploma preparation;

66.16 (iii) state competency-based adult high school diploma preparation;

66.17 (iv) basic skills enhancement training focused on math, functional literacy, reading, or
66.18 writing;

66.19 (v) computer skills training; or

66.20 (vi) English as a second language instruction;

66.21 (3) the applicant can provide proof of enrollment in an English as a second language
66.22 program taught by a licensed instructor;

66.23 (4) the applicant can provide proof of enrollment in an over-the-road truck driving
66.24 training program offered by a college or university within the Minnesota state system; or

66.25 (5) the applicant can provide proof of enrollment in a program funded under section
66.26 116L.99.

ARTICLE 6

UNEMPLOYMENT INSURANCE

140.24

140.25

140.26 Section 1. Minnesota Statutes 2020, section 268.035, subdivision 21c, is amended to read:

140.27 Subd. 21c. **Reemployment assistance training.** (a) An applicant is in "reemployment
140.28 assistance training" when:

140.29 (1)(i) a reasonable opportunity for suitable employment for the applicant does not exist
140.30 in the labor market area and additional training will assist the applicant in obtaining suitable
140.31 employment;

141.1 (2) (i) the curriculum, facilities, staff, and other essentials are adequate to achieve the
141.2 training objective;

141.3 (3) (iii) the training is vocational or short term academic training directed to an occupation
141.4 or skill that will substantially enhance the employment opportunities available to the applicant
141.5 in the applicant's labor market area;

141.6 (4) (iv) the training course is full time by the training provider; and

141.7 (5) (v) the applicant is making satisfactory progress in the training;

141.8 (2) the applicant can provide proof of enrollment in one or more programs offered by
141.9 an adult basic education consortium under section 124D.518. Programs may include but
141.10 are not limited to:

141.11 (i) general educational development diploma preparation;

141.12 (ii) local credit completion adult high school diploma preparation;

141.13 (iii) state competency-based adult high school diploma preparation;

141.14 (iv) basic skills enhancement training focused on math, functional literacy, reading, or
141.15 writing;

141.16 (v) computer skills training; or

141.17 (vi) English as a second language instruction;

141.18 (3) the applicant can provide proof of enrollment in an English as a second language
141.19 program taught by a licensed instructor;

141.20 (4) the applicant can provide proof of enrollment in an over-the-road truck driving
141.21 training program offered by a college or university within the Minnesota state system; or

141.22 (5) the applicant can provide proof of enrollment in a program funded under section
141.23 116L.99.

66.27 (b) Full-time training provided through the dislocated worker program, the Trade Act
66.28 of 1974, as amended, or the North American Free Trade Agreement is "reemployment
66.29 assistance training," if that training course is in accordance with the requirements of that
66.30 program.

67.1 (c) Apprenticeship training provided in order to meet the requirements of an
67.2 apprenticeship program under chapter 178 is "reemployment assistance training."

67.3 (d) An applicant is in reemployment assistance training only if the training course has
67.4 actually started or is scheduled to start within 30 calendar days.

67.5 **EFFECTIVE DATE.** This section is effective the day following attainment of a
67.6 \$750,000,000 positive balance in the unemployment insurance trust fund established in
67.7 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

67.8 Sec. 2. Minnesota Statutes 2020, section 268.085, subdivision 2, is amended to read:

67.9 Subd. 2. **Not eligible.** An applicant is ineligible for unemployment benefits for any week:

67.10 (1) that occurs before the effective date of a benefit account;

67.11 (2) that the applicant, at any time during the week, has an outstanding misrepresentation
67.12 overpayment balance under section 268.18, subdivision 2, including any penalties and
67.13 interest;

67.14 ~~(3) that occurs in a period when the applicant is a student in attendance at, or on vacation~~
67.15 ~~from a secondary school including the period between academic years or terms;~~

67.16 ~~(4)~~ (3) that the applicant is incarcerated or performing court-ordered community service.
67.17 The applicant's weekly unemployment benefit amount is reduced by one-fifth for each day
67.18 the applicant is incarcerated or performing court-ordered community service;

67.19 ~~(5)~~ (4) that the applicant fails or refuses to provide information on an issue of ineligibility
67.20 required under section 268.101;

67.21 ~~(6)~~ (5) that the applicant is performing services 32 hours or more, in employment, covered
67.22 employment, noncovered employment, volunteer work, or self-employment regardless of
67.23 the amount of any earnings; or

67.24 ~~(7)~~ (6) with respect to which the applicant has filed an application for unemployment
67.25 benefits under any federal law or the law of any other state. If the appropriate agency finally
67.26 determines that the applicant is not entitled to establish a benefit account under federal law
67.27 or the law of any other state, this clause does not apply.

67.28 **EFFECTIVE DATE.** This section is effective the day following attainment of a
67.29 \$750,000,000 positive balance in the unemployment insurance trust fund established in
67.30 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

141.24 (b) Full-time training provided through the dislocated worker program, the Trade Act
141.25 of 1974, as amended, or the North American Free Trade Agreement is "reemployment
141.26 assistance training," if that training course is in accordance with the requirements of that
141.27 program.

141.28 (c) Apprenticeship training provided in order to meet the requirements of an
141.29 apprenticeship program under chapter 178 is "reemployment assistance training."

141.30 (d) An applicant is in reemployment assistance training only if the training course has
141.31 actually started or is scheduled to start within 30 calendar days.

142.1 Sec. 2. Minnesota Statutes 2020, section 268.085, subdivision 2, is amended to read:

142.2 Subd. 2. **Not eligible.** An applicant is ineligible for unemployment benefits for any week:

142.3 (1) that occurs before the effective date of a benefit account;

142.4 (2) that the applicant, at any time during the week, has an outstanding misrepresentation
142.5 overpayment balance under section 268.18, subdivision 2, including any penalties and
142.6 interest;

142.7 ~~(3) that occurs in a period when the applicant is a student in attendance at, or on vacation~~
142.8 ~~from a secondary school including the period between academic years or terms;~~

142.9 ~~(4)~~ (3) that the applicant is incarcerated or performing court-ordered community service.
142.10 The applicant's weekly unemployment benefit amount is reduced by one-fifth for each day
142.11 the applicant is incarcerated or performing court-ordered community service;

142.12 ~~(5)~~ (4) that the applicant fails or refuses to provide information on an issue of ineligibility
142.13 required under section 268.101;

142.14 ~~(6)~~ (5) that the applicant is performing services 32 hours or more, in employment, covered
142.15 employment, noncovered employment, volunteer work, or self-employment regardless of
142.16 the amount of any earnings; or

142.17 ~~(7)~~ (6) with respect to which the applicant has filed an application for unemployment
142.18 benefits under any federal law or the law of any other state. If the appropriate agency finally
142.19 determines that the applicant is not entitled to establish a benefit account under federal law
142.20 or the law of any other state, this clause does not apply.

142.21 **EFFECTIVE DATE.** This section is effective August 1, 2021.

68.1 Sec. 3. Minnesota Statutes 2020, section 268.085, subdivision 4a, is amended to read:

68.2 Subd. 4a. **Social Security disability benefits.** (a) An applicant who is receiving, has
68.3 received, or has filed for primary Social Security disability benefits for any week is ineligible
68.4 for unemployment benefits for that week, unless:

68.5 (1) the Social Security Administration approved the collecting of primary Social Security
68.6 disability benefits each month the applicant was employed during the base period; or

68.7 (2) the applicant provides a statement from an appropriate health care professional who
68.8 is aware of the applicant's Social Security disability claim and the basis for that claim,
68.9 certifying that the applicant is available for suitable employment.

68.10 (b) If an applicant meets the requirements of paragraph (a), clause (1), there is no
68.11 deduction from the applicant's weekly benefit amount for any Social Security disability
68.12 benefits.

68.13 ~~(c) If an applicant meets the requirements of paragraph (a), clause (2), there must be~~
68.14 ~~deducted from the applicant's weekly unemployment benefit amount 50 percent of the~~
68.15 ~~weekly equivalent of the primary Social Security disability benefits the applicant is receiving,~~
68.16 ~~has received, or has filed for, with respect to that week.~~

68.17 ~~If the Social Security Administration determines that the applicant is not entitled to~~
68.18 ~~receive primary Social Security disability benefits for any week the applicant has applied~~
68.19 ~~for those benefits, then this paragraph does not apply to that week.~~

68.20 ~~(d)~~ Information from the Social Security Administration is conclusive, absent specific
68.21 evidence showing that the information was erroneous.

68.22 ~~(e)~~ (d) This subdivision does not apply to Social Security survivor benefits.

68.23 **EFFECTIVE DATE.** This section is effective the day following attainment of a
68.24 \$750,000,000 positive balance in the unemployment insurance trust fund established in
68.25 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

142.22 Sec. 3. Minnesota Statutes 2020, section 268.085, subdivision 4a, is amended to read:

142.23 Subd. 4a. **Social Security disability benefits.** (a) An applicant who is receiving, has
142.24 received, or has filed for primary Social Security disability benefits for any week is ineligible
142.25 for unemployment benefits for that week, unless:

142.26 (1) the Social Security Administration approved the collecting of primary Social Security
142.27 disability benefits each month the applicant was employed during the base period; or

142.28 (2) the applicant provides a statement from an appropriate health care professional who
142.29 is aware of the applicant's Social Security disability claim and the basis for that claim,
142.30 certifying that the applicant is available for suitable employment.

143.1 (b) If an applicant meets the requirements of paragraph (a), clause (1) or (2), there is no
143.2 deduction from the applicant's weekly benefit amount for any Social Security disability
143.3 benefits.

143.4 ~~(c) If an applicant meets the requirements of paragraph (a), clause (2), there must be~~
143.5 ~~deducted from the applicant's weekly unemployment benefit amount 50 percent of the~~
143.6 ~~weekly equivalent of the primary Social Security disability benefits the applicant is receiving,~~
143.7 ~~has received, or has filed for, with respect to that week.~~

143.8 ~~If the Social Security Administration determines that the applicant is not entitled to~~
143.9 ~~receive primary Social Security disability benefits for any week the applicant has applied~~
143.10 ~~for those benefits, then this paragraph does not apply to that week.~~

143.11 ~~(d)~~ (c) Information from the Social Security Administration is conclusive, absent specific
143.12 evidence showing that the information was erroneous.

143.13 ~~(e)~~ (d) This subdivision does not apply to Social Security survivor benefits.

143.14 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2021.

143.15 Sec. 4. Minnesota Statutes 2020, section 268.085, subdivision 7, is amended to read:

143.16 Subd. 7. **School employees; between terms denial.** (a) Wage credits from employment
143.17 with an educational institution or institutions may not be used for unemployment benefit
143.18 purposes for any week during the period between two successive academic years or terms
143.19 if:

143.20 (1) the applicant had employment for an educational institution or institutions in the
143.21 prior academic year or term; and

143.22 (2) there is a reasonable assurance that the applicant will have employment for an
143.23 educational institution or institutions in the following academic year or term.

143.24 This paragraph applies to a vacation period or holiday recess if the applicant was
143.25 employed immediately before the vacation period or holiday recess, and there is a reasonable
143.26 assurance that the applicant will be employed immediately following the vacation period
143.27 or holiday recess. This paragraph also applies to the period between two regular but not
143.28 successive terms if there is an agreement for that schedule between the applicant and the
143.29 educational institution.

143.30 This paragraph does not apply if the subsequent employment is substantially less
143.31 favorable than the employment of the prior academic year or term, or the employment prior
143.32 to the vacation period or holiday recess.

144.1 (b) Paragraph (a) does not apply to:

144.2 (1) an applicant who, at the end of the prior academic year or term, had an agreement
144.3 for a definite period of employment between academic years or terms in other than an
144.4 instructional, research, or principal administrative capacity and the educational institution
144.5 or institutions failed to provide that employment; or

144.6 (2) an applicant in a position for which no license is required by the Professional Educator
144.7 Licensing and Standards Board or the Board of School Administrators.

144.8 (c) If unemployment benefits are denied to any applicant under paragraph (a) who was
144.9 employed in the prior academic year or term in other than an instructional, research, or
144.10 principal administrative capacity and who was not offered an opportunity to perform the
144.11 employment in the following academic year or term, the applicant is entitled to retroactive
144.12 unemployment benefits for each week during the period between academic years or terms
144.13 that the applicant filed a timely continued request for unemployment benefits, but
144.14 unemployment benefits were denied solely because of paragraph (a).

144.15 (d) This subdivision applies to employment with an educational service agency if the
144.16 applicant performed the services at an educational institution or institutions. "Educational
144.17 service agency" means a governmental entity established and operated for the purpose of
144.18 providing services to one or more educational institutions.

144.19 (e) This subdivision applies to employment with Minnesota, a political subdivision, or
144.20 a nonprofit organization, if the services are provided to or on behalf of an educational
144.21 institution or institutions.

144.22 (f) Paragraph (a) applies beginning the Sunday of the week that there is a reasonable
144.23 assurance of employment.

144.24 (g) Employment and a reasonable assurance with multiple education institutions must
144.25 be aggregated for purposes of application of this subdivision.

144.26 (h) If all of the applicant's employment with any educational institution or institutions
144.27 during the prior academic year or term consisted of on-call employment, and the applicant
144.28 has a reasonable assurance of any on-call employment with any educational institution or

144.29 institutions for the following academic year or term, it is not considered substantially less
144.30 favorable employment.

144.31 (i) A "reasonable assurance" may be written, oral, implied, or established by custom or
144.32 practice.

145.1 (j) An "educational institution" is a school, college, university, or other educational entity
145.2 operated by Minnesota, a political subdivision or instrumentality thereof, or a nonprofit
145.3 organization.

145.4 (k) An "instructional, research, or principal administrative capacity" does not include
145.5 an educational assistant.

145.6 Sec. 5. Minnesota Statutes 2020, section 268.101, subdivision 2, is amended to read:

145.7 Subd. 2. **Determination.** (a) The commissioner must determine any issue of ineligibility
145.8 raised by information required from an applicant under subdivision 1, paragraph (a) or (c),
145.9 and send to the applicant and any involved employer, by mail or electronic transmission, a
145.10 document titled a determination of eligibility or a determination of ineligibility, as is
145.11 appropriate. The determination on an issue of ineligibility as a result of a quit or a discharge
145.12 of the applicant must state the effect on the employer under section 268.047. A determination
145.13 must be made in accordance with this paragraph even if a notified employer has not raised
145.14 the issue of ineligibility.

145.15 (b) The commissioner must determine any issue of ineligibility raised by an employer
145.16 and send to the applicant and that employer, by mail or electronic transmission, a document
145.17 titled a determination of eligibility or a determination of ineligibility as is appropriate. The
145.18 determination on an issue of ineligibility as a result of a quit or discharge of the applicant
145.19 must state the effect on the employer under section 268.047.

145.20 If a base period employer:

145.21 (1) was not the applicant's most recent employer before the application for unemployment
145.22 benefits;

145.23 (2) did not employ the applicant during the six calendar months before the application
145.24 for unemployment benefits; and

145.25 (3) did not raise an issue of ineligibility as a result of a quit or discharge of the applicant
145.26 within ten calendar days of notification under subdivision 1, paragraph (b);

145.27 then any exception under section 268.047, subdivisions 2 and 3, begins the Sunday two
145.28 weeks following the week that the issue of ineligibility as a result of a quit or discharge of
145.29 the applicant was raised by the employer.

145.30 A communication from an employer must specifically set out why the applicant should
145.31 be determined ineligible for unemployment benefits for that communication to be considered
145.32 to have raised an issue of ineligibility for purposes of this section. A statement of "protest"

146.1 or a similar term without more information does not constitute raising an issue of ineligibility
146.2 for purposes of this section.

146.3 (c) Subject to section 268.031, an issue of ineligibility is determined based upon that
146.4 information required of an applicant, any information that may be obtained from an applicant
146.5 or employer, and information from any other source.

146.6 (d) Regardless of the requirements of this subdivision, the commissioner is not required
146.7 to send to an applicant a copy of the determination where the applicant has satisfied a period
146.8 of ineligibility because of a quit or a discharge under section 268.095, subdivision 10.

146.9 (e) The department is authorized to issue a determination on an issue of ineligibility
146.10 within 24 months from the establishment of a benefit account based upon information from
146.11 any source, even if the issue of ineligibility was not raised by the applicant or an employer.

146.12 If an applicant obtained unemployment benefits through misrepresentation under section
146.13 268.18, subdivision 2, the department is authorized to issue a determination of ineligibility
146.14 within 48 months of the establishment of the benefit account.

146.15 If the department has filed an intervention in a worker's compensation matter under
146.16 section 176.361, the department is authorized to issue a determination of ineligibility within
146.17 48 months of the establishment of the benefit account.

146.18 (f) A determination of eligibility or determination of ineligibility is final unless an appeal
146.19 is filed by the applicant or employer within ~~20~~ 60 calendar days after sending. The
146.20 determination must contain a prominent statement indicating the consequences of not
146.21 appealing. Proceedings on the appeal are conducted in accordance with section 268.105.

146.22 (g) An issue of ineligibility required to be determined under this section includes any
146.23 question regarding the denial or allowing of unemployment benefits under this chapter
146.24 except for issues under section 268.07. An issue of ineligibility for purposes of this section
146.25 includes any question of effect on an employer under section 268.047.

146.26 Sec. 6. Minnesota Statutes 2020, section 268.133, is amended to read:

146.27 **268.133 UNEMPLOYMENT BENEFITS WHILE IN ENTREPRENEURIAL**
146.28 **TRAINING.**

146.29 Unemployment benefits are available to dislocated workers participating in the converting
146.30 layoffs into Minnesota businesses (CLIMB) program under section 116L.17, subdivision
146.31 11. Applicants participating in CLIMB are considered in reemployment assistance training
147.1 under section 268.035, subdivision 21c. All requirements under section 268.069, subdivision
147.2 1, must be met, except the commissioner may waive:

147.3 (1) the deductible earnings provisions in section 268.085, subdivision 5; and

147.4 (2) the 32 hours of work limitation in section 268.085, subdivision 2, clause ~~(6)~~ (5). A
147.5 maximum of 500 applicants may receive a waiver at any given time.

68.26 Sec. 4. Minnesota Statutes 2020, section 268.133, is amended to read:

68.27 **268.133 UNEMPLOYMENT BENEFITS WHILE IN ENTREPRENEURIAL**
68.28 **TRAINING.**

68.29 Unemployment benefits are available to dislocated workers participating in the converting
68.30 layoffs into Minnesota businesses (CLIMB) program under section 116L.17, subdivision
68.31 11. Applicants participating in CLIMB are considered in reemployment assistance training
69.1 under section 268.035, subdivision 21c. All requirements under section 268.069, subdivision
69.2 1, must be met, except the commissioner may waive:

69.3 (1) the deductible earnings provisions in section 268.085, subdivision 5; and

69.4 (2) the 32 hours of work limitation in section 268.085, subdivision 2, clause ~~(6)~~ (5). A
69.5 maximum of 500 applicants may receive a waiver at any given time.

69.6 **EFFECTIVE DATE.** This section is effective the day following attainment of a
69.7 \$750,000,000 positive balance in the unemployment insurance trust fund established in
69.8 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

69.9 Sec. 5. Minnesota Statutes 2020, section 268.136, subdivision 1, is amended to read:

69.10 Subdivision 1. **Shared work plan requirements.** An employer may submit a proposed
69.11 shared work plan for an employee group to the commissioner for approval in a manner and
69.12 format set by the commissioner. The proposed shared work plan must include:

69.13 (1) a certified statement that the normal weekly hours of work of all of the proposed
69.14 participating employees were full time or regular part time but are now reduced, or will be
69.15 reduced, with a corresponding reduction in pay, in order to prevent layoffs;

69.16 (2) the name and Social Security number of each participating employee;

69.17 (3) the number of layoffs that would have occurred absent the employer's ability to
69.18 participate in a shared work plan;

69.19 (4) a certified statement that each participating employee was first hired by the employer
69.20 at least ~~one year~~ three months before the proposed shared work plan is submitted and is not
69.21 a seasonal, temporary, or intermittent worker;

69.22 (5) the hours of work each participating employee will work each week for the duration
69.23 of the shared work plan, which must be at least 50 percent of the normal weekly hours but
69.24 no more than 80 percent of the normal weekly hours, except that the plan may provide for
69.25 a uniform vacation shutdown of up to two weeks;

69.26 (6) a certified statement that any health benefits and pension benefits provided by the
69.27 employer to participating employees will continue to be provided under the same terms and
69.28 conditions as though the participating employees' hours of work each week had not been
69.29 reduced;

69.30 (7) a certified statement that the terms and implementation of the shared work plan is
69.31 consistent with the employer's obligations under state and federal law;

70.1 (8) an acknowledgment that the employer understands that unemployment benefits paid
70.2 under a shared work plan will be used in computing the future tax rate of a taxpaying
70.3 employer or charged to the reimbursable account of a nonprofit or government employer;

70.4 (9) the proposed duration of the shared work plan, which must be at least two months
70.5 and not more than one year, although a plan may be extended for up to an additional year
70.6 upon approval of the commissioner;

70.7 (10) a starting date beginning on a Sunday at least 15 calendar days after the date the
70.8 proposed shared work plan is submitted; and

70.9 (11) a signature of an owner or officer of the employer who is listed as an owner or
70.10 officer on the employer's account under section 268.045.

147.6 **EFFECTIVE DATE.** This section is effective August 1, 2021.

147.7 Sec. 7. Minnesota Statutes 2020, section 268.136, subdivision 1, is amended to read:

147.8 Subdivision 1. **Shared work plan requirements.** An employer may submit a proposed
147.9 shared work plan for an employee group to the commissioner for approval in a manner and
147.10 format set by the commissioner. The proposed shared work plan must include:

147.11 (1) a certified statement that the normal weekly hours of work of all of the proposed
147.12 participating employees were full time or regular part time but are now reduced, or will be
147.13 reduced, with a corresponding reduction in pay, in order to prevent layoffs;

147.14 (2) the name and Social Security number of each participating employee;

147.15 (3) the number of layoffs that would have occurred absent the employer's ability to
147.16 participate in a shared work plan;

147.17 (4) a certified statement that each participating employee was first hired by the employer
147.18 at least ~~one year~~ three months before the proposed shared work plan is submitted and is not
147.19 a seasonal, temporary, or intermittent worker;

147.20 (5) the hours of work each participating employee will work each week for the duration
147.21 of the shared work plan, which must be at least 50 percent of the normal weekly hours but
147.22 no more than 80 percent of the normal weekly hours, except that the plan may provide for
147.23 a uniform vacation shutdown of up to two weeks;

147.24 (6) a certified statement that any health benefits and pension benefits provided by the
147.25 employer to participating employees will continue to be provided under the same terms and
147.26 conditions as though the participating employees' hours of work each week had not been
147.27 reduced;

147.28 (7) a certified statement that the terms and implementation of the shared work plan is
147.29 consistent with the employer's obligations under state and federal law;

148.1 (8) an acknowledgment that the employer understands that unemployment benefits paid
148.2 under a shared work plan will be used in computing the future tax rate of a taxpaying
148.3 employer or charged to the reimbursable account of a nonprofit or government employer;

148.4 (9) the proposed duration of the shared work plan, which must be at least two months
148.5 and not more than one year, although a plan may be extended for up to an additional year
148.6 upon approval of the commissioner;

148.7 (10) a starting date beginning on a Sunday at least 15 calendar days after the date the
148.8 proposed shared work plan is submitted; and

148.9 (11) a signature of an owner or officer of the employer who is listed as an owner or
148.10 officer on the employer's account under section 268.045.

70.11 EFFECTIVE DATE. This section is effective the day following final enactment.

70.12 Sec. 6. Laws 2020, chapter 71, article 2, section 20, is amended to read:

70.13 Sec. 20. **SUITABLE EMPLOYMENT DURING COVID-19 PANDEMIC.**

70.14 (a) Notwithstanding the definition of "suitable employment" provided in Minnesota
70.15 Statutes, section 268.035, subdivision 23a, for an applicant applying for unemployment
70.16 insurance benefits between March 1, 2020, and December 31, 2020, employment is not
70.17 suitable under Minnesota Statutes, section 268.035, subdivision 23a, paragraphs (a) and
70.18 (b), if:

70.19 (1) the employment puts the health and safety of the applicant at risk due to potential
70.20 exposure of the applicant to COVID-19; or

70.21 (2) the employment puts the health and safety of other workers and the general public
70.22 at risk due to potential exposure of the other workers and the general public to COVID-19.

70.23 (b) Notwithstanding Executive Order 20-05, as extended, amended, and otherwise
70.24 modified by Executive Order 20-29 and Executive Order 20-102, the exception under this
70.25 section expires on December 31, 2020.

70.26 EFFECTIVE DATE. This section is effective retroactively from December 30, 2020.

71.1 Sec. 7. Laws 2020, chapter 71, article 2, section 22, is amended to read:

71.2 Sec. 22. **TEMPORARY SUSPENSION OF FIVE-WEEK BUSINESS OWNER**
71.3 **BENEFIT LIMITATION.**

71.4 Notwithstanding Executive Order 20-05, as extended, amended, and otherwise modified
71.5 by Executive Order 20-29 and Executive Order 20-102, and Minnesota Statutes, section
71.6 268.085, subdivision 9, the five-week limitation for receipt of unemployment benefits for
71.7 business owners is suspended for applicants for unemployment insurance benefit accounts
71.8 established between March 1, 2020, and ~~December 31, 2020~~ September 6, 2021.

71.9 EFFECTIVE DATE. This section is effective retroactively from December 30, 2020.

71.10 Sec. 8. Laws 2020, chapter 71, article 2, section 23, is amended to read:

71.11 Sec. 23. **LEAVE OF ABSENCE DUE TO COVID-19.**

71.12 Notwithstanding Executive Order 20-05, as extended, amended, and otherwise modified
71.13 by Executive Order 20-29 and Executive Order 20-102, and Minnesota Statutes, section
71.14 268.085, subdivision 13a, for an applicant applying for an unemployment insurance benefits
71.15 account established between March 1, 2020, and ~~December 31, 2020~~ September 6, 2021,
71.16 a leave of absence is presumed to be an involuntary leave of absence and not ineligible if:

71.17 (1) a determination has been made by health authorities or by a health care professional
71.18 that the presence of the applicant in the workplace would jeopardize the health of others,
71.19 whether or not the applicant has actually contracted a communicable disease;

148.11 EFFECTIVE DATE. This section is effective the day following final enactment.

149.17 Sec. 11. **SUITABLE EMPLOYMENT DURING COVID-19 PANDEMIC.**

149.18 Notwithstanding the definition of "suitable employment" provided in Minnesota Statutes,
149.19 section 268.035, subdivision 23a, for an applicant applying for unemployment insurance
149.20 benefits between December 27, 2020, and September 4, 2021, employment is not suitable
149.21 under Minnesota Statutes, section 268.035, subdivision 23a, paragraphs (a) and (b), if:

149.22 (1) the employment puts the health and safety of the applicant at risk due to potential
149.23 exposure of the applicant to COVID-19; or

149.24 (2) the employment puts the health and safety of other workers and the general public
149.25 at risk due to potential exposure of the other workers and the general public to COVID-19.

149.26 EFFECTIVE DATE. This section is effective retroactively from December 27, 2020.

148.18 Sec. 9. **CONTINUED SUSPENSION OF FIVE-WEEK BUSINESS OWNER**
148.19 **BENEFIT LIMITATION.**

148.20 Notwithstanding Minnesota Statutes, section 268.085, subdivision 9, the five-week
148.21 limitation for receipt of unemployment benefits for business owners is suspended for
148.22 applicants for unemployment insurance benefit accounts established between December
148.23 27, 2020, and September 4, 2021.

148.24 EFFECTIVE DATE. This section is effective retroactively from December 27, 2020.

148.25 Sec. 10. **LEAVE OF ABSENCE DUE TO COVID-19.**

148.26 Notwithstanding Minnesota Statutes, section 268.085, subdivision 13a, for an applicant
148.27 applying for an unemployment insurance benefit account established between December
148.28 27, 2020, and September 4, 2021, a leave of absence is presumed to be an involuntary leave
148.29 of absence and not ineligible if:

149.1 (1) a determination has been made by health authorities or by a health care professional
149.2 that the presence of the applicant in the workplace would jeopardize the health of others,
149.3 whether or not the applicant has actually contracted a communicable disease;

71.20 (2) a quarantine or isolation order has been issued to the applicant pursuant to Minnesota
71.21 Statutes, sections 144.419 to 144.4196;

71.22 (3) there is a recommendation from health authorities or from a health care professional
71.23 that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19
71.24 due to being immunocompromised;

71.25 (4) the applicant has been instructed by the applicant's employer not to come to the
71.26 employer's place of business due to an outbreak of a communicable disease; or

71.27 (5) the applicant has received a notification from a school district, day care, or other
71.28 child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child
71.29 care is unavailable, provided that the applicant made reasonable effort to obtain other child
71.30 care and requested time off or other accommodation from the employer and no reasonable
71.31 accommodation was available.

72.1 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

72.2 Sec. 9. **REPEALER.**

72.3 Minnesota Statutes 2020, section 268.085, subdivision 4, is repealed.

72.4 **EFFECTIVE DATE.** This section is effective the day following attainment of a
72.5 \$750,000,000 positive balance in the unemployment insurance trust fund established in
72.6 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

149.4 (2) a quarantine or isolation order has been issued to the applicant pursuant to Minnesota
149.5 Statutes, sections 144.419 to 144.4196;

149.6 (3) there is a recommendation from health authorities or from a health care professional
149.7 that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19
149.8 due to being immunocompromised;

149.9 (4) the applicant has been instructed by the applicant's employer not to come to the
149.10 employer's place of business due to an outbreak of a communicable disease; or

149.11 (5) the applicant has received a notification from a school district, day care, or other
149.12 child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child
149.13 care is unavailable, provided that the applicant made reasonable effort to obtain other child
149.14 care and requested time off or other accommodation from the employer and no reasonable
149.15 accommodation was available.

149.16 **EFFECTIVE DATE.** This section is effective retroactively from December 27, 2020.

148.12 Sec. 8. **CONTINUED SUSPENSION OF ONE-WEEK WAITING PERIOD.**

148.13 Notwithstanding Minnesota Statutes, section 268.085, subdivision 1, the one-week
148.14 nonpayable waiting period to receive unemployment benefits is waived for applicants for
148.15 unemployment insurance benefit accounts established between December 27, 2020, and
148.16 September 4, 2021.

148.17 **EFFECTIVE DATE.** This section is effective retroactively from December 27, 2020.

149.27 Sec. 12. **PANDEMIC UNEMPLOYMENT ASSISTANCE TO HIGH SCHOOL**
149.28 **STUDENTS.**

149.29 Pandemic Unemployment Assistance payments made to high school students under the
149.30 federal CARES Act, United States Code, title 15, chapter 116, and extended by the federal
149.31 Consolidated Appropriations Act, 2021, Public Law 116-260, subject to any necessary
150.1 federal approval, must not be counted as income when determining eligibility for the
150.2 programs administered by the Department of Human Services.

150.3 **EFFECTIVE DATE.** This section is effective retroactively from January 7, 2021.

150.4 Sec. 13. **REPEALER.**

150.5 (a) Minnesota Statutes 2020, section 268.085, subdivision 4, is repealed January 1, 2021.

150.6 (b) Minnesota Statutes 2020, section 268.085, subdivision 8, is repealed.