

1.1 ..... moves to amend H.F. No. 3796 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 177.27, subdivision 4, is amended to read:

1.4 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an  
1.5 employer to comply with sections 177.21 to 177.435, 177.50, 179.86, 181.02, 181.03,  
1.6 181.031, 181.032, 181.10, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.165,  
1.7 181.172, paragraph (a) or (d), 181.214 to 181.217, 181.275, subdivision 2a, 181.635, 181.64,  
1.8 181.722, 181.723, 181.79, 181.85 to 181.89, 181.939 to 181.943, 181.9445 to 181.9448,  
1.9 181.987, 181.991, 181.995, 268B.09, subdivisions 1 to 6, and 268B.14, subdivision 3, with  
1.10 any rule promulgated under section 177.28, 181.213, or 181.215. The commissioner shall  
1.11 issue an order requiring an employer to comply with sections 177.41 to 177.435, 181.165,  
1.12 or 181.987 if the violation is repeated. For purposes of this subdivision only, a violation is  
1.13 repeated if at any time during the two years that preceded the date of violation, the  
1.14 commissioner issued an order to the employer for violation of sections 177.41 to 177.435,  
1.15 181.165, or 181.987 and the order is final or the commissioner and the employer have  
1.16 entered into a settlement agreement that required the employer to pay back wages that were  
1.17 required by sections 177.41 to 177.435. The department shall serve the order upon the  
1.18 employer or the employer's authorized representative in person or by certified mail at the  
1.19 employer's place of business. An employer who wishes to contest the order must file written  
1.20 notice of objection to the order with the commissioner within 15 calendar days after being  
1.21 served with the order. A contested case proceeding must then be held in accordance with  
1.22 sections 14.57 to 14.69 or 181.165. If, within 15 calendar days after being served with the  
1.23 order, the employer fails to file a written notice of objection with the commissioner, the  
1.24 order becomes a final order of the commissioner. For the purposes of this subdivision, an

2.1 employer includes a contractor that has assumed a subcontractor's liability within the meaning  
2.2 of section 181.165.

2.3 Sec. 2. Minnesota Statutes 2024, section 181.03, subdivision 6, is amended to read:

2.4 Subd. 6. **Retaliation.** An employer shall not discharge, discipline, penalize, interfere  
2.5 with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an employee  
2.6 for asserting rights or remedies under this section, sections 177.21 to 177.44, 181.01 to  
2.7 181.723, ~~or 181.79,~~ or 181.995, including, but not limited to, filing a complaint with the  
2.8 department or telling the employer of the employee's intention to file a complaint. In addition  
2.9 to any other remedies provided by law, an employer who violates this subdivision is liable  
2.10 for a civil penalty of not less than \$700 nor more than \$3,000 per violation.

2.11 Sec. 3. **[181.995] SUITABLE SEATING FOR EMPLOYEES.**

2.12 Subdivision 1. **Suitable seating for employees required.** An employer must provide  
2.13 suitable seating for employees and must permit the use of those seats by employees when  
2.14 the nature of the work reasonably permits the use of seats. For purposes of this section,  
2.15 "suitable seating" means an adequate number of seats placed in reasonable proximity to the  
2.16 work area and includes chairs, benches, or stools.

2.17 Subd. 2. **Enforcement.** This section shall be enforced by the commissioner under section  
2.18 177.27. A violation of this section is subject to a penalty of up to \$250 for each violation.

2.19 Subd. 3. **Effect on other laws.** Nothing in this section shall be construed to affect any  
2.20 provision of law relating to occupational health and safety or in any way diminish the  
2.21 coverage of laws relating to pregnancy, disability, or health conditions related to pregnancy  
2.22 or childbirth under any other provisions of any other law."

2.23 Amend the title accordingly