

Letters for HF 3796 (Jones)



380 St. Peter St., Ste. 750
St. Paul, MN 55101

651-293-1283
NFIB.com/MN

March 23, 2026

House File 3796 (Jones)

Chair Pinto, Chair Baker and Members of the Committee -

The National Federation of Independent Business (NFIB) represents over 10,000 small businesses across Minnesota. Our mission is to promote and protect the rights of our members to own, operate, and grow their businesses. **We appreciate the opportunity to provide comments in opposition to House File 3796**, which requires employers to provide suitable seating for employees and permit their use when the nature of the work reasonably permits.

First and foremost, we do not believe that it is necessary to create a new state law to address this. Small businesses are already grappling with a growing list of workplace regulations, and we don't believe the Legislature needs to interject itself in every workplace situation. We fundamentally believe that this is something that can be worked out between employers and employees.

Small businesses often operate in tight spaces that make it impracticable to maintain an "adequate number" of seats in "reasonable proximity" to the work area. Depending on the workplace, small business owners could be forced to reconfigure their workspace and purchase additional equipment, which comes with a cost that is increasingly difficult for small businesses to absorb.

This bill also introduces some highly subjective concepts, such as maintaining an "adequate number of seats" and ensuring that such seating is located "in reasonable proximity to the work area." For a small business owner without a dedicated HR or legal department, the subjectiveness of this requirement will make it impossible to know whether they are truly compliant. This will expose small businesses to additional penalties and fines, even in instances where they are acting in good faith.

We respectfully ask that the committee oppose House File 3796. Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Boesche".

Jon Boesche

Minnesota State Director
National Federation of Independent Business



THE CHAMBER
FARGO MOORHEAD WEST FARGO

Monday, March 23, 2026

Co-Chair Pinto and Co-Chair Baker,

My name is Cale Dunwoody, and I have the pleasure of serving as the Vice President of Public Policy for the Fargo Moorhead West Fargo Chamber of Commerce. On behalf of our more than 1,600 members, I respectfully submit this letter in opposition to House File 3796, relating to suitable seating for employees.

While we understand the intent behind this proposal, businesses are already making workplace decisions that prioritize employee comfort and safety without the need for additional statewide mandates. Supporting workers is a top priority for Minnesota's employers, and decisions regarding suitable seating are best made collaboratively between businesses and their employees.

The language outlined in this bill includes vague and subjective definitions that will be difficult to interpret and implement consistently. Terms such as "reasonably permits" and "suitable seating" are open to broad interpretation and may vary widely across industries, creating uncertainty for employers acting in good faith and increasing the likelihood of inconsistent enforcement.

This legislation represents yet another mandate placed on the business community across Minnesota, and we respectfully urge the committee to oppose H.F. 3796 for the reasons stated above.

Thank you for your attention to this matter and its impact on Minnesota's business community.

Sincerely,

Cale Dunwoody
Vice President of Public Policy
Fargo Moorhead West Fargo Chamber of Commerce



March 24, 2026

RE: HF 3796 (Jones) Employers required to provide suitable seating for employees

Chair Baker, Chair Pinto, and Members of the Committee:

Thank you for the opportunity to provide testimony on HF 3796 (Jones) regarding suitable seating requirements. On behalf of Minnesota Retailers, we appreciate the intent behind the proposal, however we respectfully oppose the bill as currently written.

We are concerned with two key phrases in the proposal. The bill requires employers to provide seating “when the nature of the work reasonably permits the use of seats” and defines suitable seating as seats placed “in reasonable proximity to the work area.” While we understand the general intent, these terms are not defined in the bill, and their interpretation could vary widely depending on the workplace environment.

For retailers and distribution operations, the nature of the work often takes place on active warehouse or sales floors where safety considerations are significant.

In retail stores, those safety considerations are real and immediate. Many stores operate in compact spaces, and adding seating near work areas may create trip hazards or reduce the clearance needed for customers and employees moving through aisles, checkout areas, and stock zones.

In distribution centers, safety concerns are often heightened due to the presence of powered equipment operating on the production floor. In these environments, employees sometimes need to remain mobile and maintain full awareness of equipment traffic. Seated work may not be appropriate, as it could interfere with mobility, visibility, and overall safety.

Should this bill continue through the legislative process we would welcome the opportunity to work with the author and committee members on clarifying language that reflects these operational and safety considerations.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Nustad", written in a cursive style.

Bruce Nustad
president
bruce@mnretail.org



MINNESOTA GROCERS ASSOCIATION

1360 Energy Park Drive, Suite 110 • St. Paul, MN 55108 • 651-228-0973 • 1-800-966-8352 • mga@mngrocers.com

March 23, 2026

Co-Chair Pinto, Co-Chair Baker, and Members of the House Workforce, Labor, and Economic Development Finance and Policy Committee:

The Minnesota Grocers Association (MGA) appreciates the opportunity to share our opposition to HF3796 (Jones). Simply put, we do not believe the legislature needs to interject itself into every workplace matter.

The MGA has proudly been the voice of Minnesota's food industry for more than 125 years. Today, we represent more than 250 companies operating over 1,300 locations statewide, including food producers, manufacturers, wholesalers, and retailers. Our industry supports more than 150,000 jobs across Minnesota and plays an essential role in feeding families in every corner of the state.

Businesses in the food industry navigate complex operational challenges every day. Dynamic supply chains, an expanding list of state mandates, workforce and scheduling pressures, anti-competitive actions from big-box retailers like Walmart, and federal tariff policies that can all shift operational costs and business capabilities every day.

We are confident that employers and employees are capable of working together to determine whether and when job duties allow for sitting during the course of a shift. While we are not opposed to employees sitting when their duties allow, we are concerned that the bill's failure to define "suitable seating" and "reasonable" would leave significant discretion to the Department of Labor and Industry to determine what qualifies as "suitable."

Additionally, the bill as introduced, proposes substantial fines ranging from \$11,162 to \$156,259 per violation, largely left to agency discretion, which we believe are excessive.

In our view, this issue does not rise to the level of requiring a new state law, and we respectfully oppose HF3796.

Thank you for your consideration.

Sincerely,

Steve Barthel
Director of Government Relations
Minnesota Grocers Association