

# House Research Act Summary

**CHAPTER:** 115

**SESSION:** 2005 Regular Session

**TOPIC:** Unemployment insurance eligibility exemption for school food service workers

**Date:** May 24, 2005

**Analyst:** Elisabeth A. Long, 651-296-5052

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

## Overview

Minnesota law provides that wages earned from employment with an educational institution are not considered for unemployment purposes for any week during the period between two successive academic years or terms if certain circumstances apply (section 268.085, subd. 7). This exclusion of wages from consideration for unemployment purposes extends to contractors performing work for a school if the work school employees could have done the work (section 268.085, subd. 8).

This act codifies an exemption in Minnesota Laws 2002, which sunset on December 31, 2004, to make wages earned by food service workers at elementary or secondary schools exempt from this general exclusion under certain circumstances -- meaning that the wages would be considered for unemployment insurance purposes.

- 1 Services for school contractors.** Provides that, in spite of the law providing that wages earned from employment with an educational institution are not considered for unemployment purposes under certain circumstances, wages will be considered if:
  - the wages were earned by an employee of a private employer who performed work under a contract between the employer and an elementary or secondary school; and
  - the work was related to food services that the employer provided to the school.
- 2 Effective date.** Makes section 1 effective retroactively from December 31, 2004.

