

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 463
Version: As introduced

DATE: March 5, 2013

Authors: Kahn

Subject: Employment accommodations and leave for pregnant women

Analyst: Anita Neumann (651-296-5056)

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/.

Section

1 Pregnancy accommodations and leave.

Subd. 1. Requires an employer to grant an unpaid leave not to exceed 12 weeks to a female employee disabled by pregnancy, childbirth, or a related medical condition. A longer leave may be available if agreed to by the employer. An employee may utilize all available accrued vacation or sick leave during the leave. An employee may be required to give reasonable notice of the leave.

Subd. 2. Accommodation. Requires an employer to provide reasonable accommodation including, but not limited to: seating, frequent restroom breaks, and limits on heavy lifting. The accommodations must be made upon request and with the advice of a health care provider.

Subd. 3. Transfer. Requires an employer to temporarily transfer an employee to a less strenuous or hazardous position during the pregnancy, where that transfer is reasonable. The transfer may be done upon request, and at the advice of a physician. An employer is not required, however, to create additional employment that would not otherwise be created, to discharge or transfer another employee with more seniority, or to promote an employee not qualified to perform the job.

Subd. 4. Interaction with other laws. States that nothing in this section is to affect any other provision of law relating to sex discrimination or pregnancy or in any way diminish coverage under any other law.

2 Comparable position. Adds a reference to the leave created under section one to existing law directing how an employee is to be treated upon returning from a leave of absence.

