MN HOUSE RESEARCH

Subject	Updates to Minnesota Human Rights Act
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Overview

This bill makes updates and clarifications to the Minnesota Human Rights Act, including: allowing filings and notices in administrative actions to be sent and received electronically when the parties agree to receive notices electronically; amends deadlines; amends application of certificates of compliance; and clarifying data classifications for certificates of compliance and equal pay certificates.

Summary

Section	Description

1   **Certificates of compliance.**

Adds a new section to the Minnesota government data practices act creating a cross reference in statute and indicating that access to data on certificates of compliance are governed by the existing rules in data in the Minnesota human rights act.

2   **Freedom from discrimination.**

Adds the protected class 'familial status' to the public policy statement in the Minnesota Human Rights Act (MHRA).

3   **Actions.**

Clarifies that a person can file a charge with the Department of Human Rights about discrimination online.

4   **Charging process.**

Allows a person bringing a discrimination claim to request reconsideration on a determination that no discrimination was found within 30 days after the determination is issued. The current statute requires a request for reconsideration to be made within ten days of receiving the notice. This section also allows the respondent 30 days to request a reconsideration if the Department of Human Rights finds probable cause that discrimination has occurred.

Section	Description

This section also allows notices to be sent electronically when the parties have agreed to receive notice electronically.

5   **Rescission of waiver.**

Clarifies that a person can file a charge with the Department of Human Rights about discrimination online.

6   **Summons and complaints in a civil action.**

Allows notice of a case filing to be provided electronically to the Department of Human Rights when a case is brought in court while an administrative action is pending.

7   **Scope of application.**

Updates the requirements and applications of certificates of compliance for public contracts, clarifying application to the Metropolitan Council and updating language related to the application of affirmative action plans, and removes obsolete language.

This section would be effective June 1, 2021, and would apply prospectively to contracts enter into after that date.

8   **Revocation of contract.**

Makes conforming changes.

9   **Access to data. (Certificates of Compliance)**

Provides that data related to certificates of compliance submitted by businesses is classified as private data on individuals or nonpublic data when the data does not relate to department employees. The bill provides, however, that the commissioner's decisions on issuing, revoking, suspending, or penalizing a certificate holder is public data, and that application forms for a certificate are public data. This section also authorizes the commissioner to share private or nonpublic data with other government entities for compliance purposes.

10   **Access to data. (Equal Pay Certificates)**

Provides that data related to equal pay certificates submitted by businesses is classified as private data on individuals or nonpublic data when the data does not relate to department employees. The bill provides, however, that the commissioner's decisions on issuing, revoking, suspending, or penalizing individuals or business related to equal pay certificates are public data, and that application forms for a certificate are public data. This section also authorizes the commissioner to share private or nonpublic data with other government entities for compliance purposes.