

Subject Emergency paid sick leave for essential workers

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Overview

This bill would provide emergency paid sick leave to essential workers unable to work or telecommute due to a COVID-19 related reason.

Summary

Section	Description
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1	Essential Workers Emergency Leave Act.
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Subd. 1. Definitions. Provides several definitions for the bill. Defines “essential worker” as a critical sector employee exempted under paragraph 6 of [Executive Order 20-48](#) who has worked for an employer one day or more, and is not being fully compensated for the time by workers’ compensation, unemployment insurance, or any other state or federal compensation benefits.

Includes:

Healthcare and public health workers; law enforcement, first responders, and public safety workers; energy, water, and wastewater workers; food and agricultural workers; transportation workers; critical manufacturing and critical trade and construction workers; legal, real estate, and financial services workers; child care workers, education workers; certain state, federal, and tribal government workers; and others.

Subd. 2. Emergency paid sick leave. Requires an employer to provide up to 100 hours of emergency paid sick leave to an essential worker who is unable to work or telework for one of the qualifying COVID-19 related reasons:

(1) quarantine or isolation order; (2) self-quarantine at advice of health care provider; (3) seeking medical diagnosis for worker’s COVID-19 symptoms; (4) caring for an individual subject to clause (1) or (2); (5) caring for a child whose school or child care provider is closed; or (6) a substantially similar condition.

Subd. 3. Duration and use of leave. Requires employers to provide up to 100 hours of paid leave for a qualifying reason for a full-time essential worker.

Section **Description**

Provides a percentage of hours for part-time and variable hour employees. Allows intermittent use of leave and reasonable notice for continued leave. Applies retroactively to eligible employees as of March 13, 2020, until 30 days after the end of the COVID-19 peacetime emergency.

Subd. 4. Amount of compensation. Provides full compensation for the leave at employee's regular rate of pay or the applicable minimum wage rate, whichever is higher. Does not allow for carryover of unused leave and offers no benefit upon separation from employment.

Subd. 5. Relationship to other leave. Applies in addition to any existing paid time off or leave policy that an employer provides. Allows an employee to use emergency sick leave first before using accrued paid time off or unpaid leave. Except that, an employer who already provides additional paid leave that provides the same or better benefits for COVID-19 reasons is not required to provide additional leave. Allows employer to offer better leave than required.

Subd. 6. Requirements and enforcement. Requires notice of leave to employees and prohibits retaliation against employees who request or use this leave. Provides for enforcement and investigation by the Department of Labor and Industry.

Effective date. Effective the day following final enactment and applies retroactively to eligible employees as of March 13, 2020. Expires 30 days after the end of the COVID-19 peacetime emergency.



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