

Subject Warehouse distribution worker safety

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Overview

Establishes worker safety requirements for warehouse distribution centers.

Summary

Section	Description
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1	Warehouse distribution worker safety.
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Provides several worker safety requirements for warehouse distribution centers.

Subd. 1. Definitions. Provides definitions used in the bill. Applies to employers with 100 or more employees at one warehouse distribution center or 1,000 or more employees at one or more warehouse distribution centers.

Subd. 2. Written description required. Requires written description to employees of each quota they are required to meet. Notice must be in understandable plain language in the employee's preferred language and must be given at the time of hire, or within 30 days of enactment, and at least two working days before the quota will take effect. The notice must include how the work standards for the quota will be measured, such as a certain speed, certain output amount, or certain error or defect rate for a certain period of time or group, and any employment consequence for not meeting the quota. Prohibits adverse employment action against an employee for failing to meet a quota that was not disclosed.

Subd. 3. Breaks. Prohibits employers from requiring employees to meet quotas that would interfere with compliance of required meal, rest, restroom break (including reasonable travel time), or prayer periods, or otherwise prevent compliance with any Occupational Safety and Health Administration (OSHA) workplace safety standard. Also prohibits employers from taking adverse employment action against employees who do not meet such a quota.

Subd. 4. Work speed data. Allows employees to request: (1) a written description of each quota they are required to meet; (2) a copy of their work speed data for the most recent 90 days; and (3) a copy of the last six months of

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aggregated work speed data for similar employees at their worksite. Requests may be made orally or in writing up to four times a year. Requires employers to provide the requested data within 72 hours. Also requires employers to provide a copy of an employee's work speed data for the most recent 90 days when the employee is disciplined or fired for failing to meet a quota. Prohibits retaliation against employees for seeking this data.

Subd. 5. High rates of injury. Requires the commissioner of labor and industry to investigate violations under this section if OSHA data shows a 30 percent higher than the year's average incidence rate for nonfatal occupational injuries and illnesses in that industry. Requires employer to hold monthly safety meetings for two years until incidence rates fall below 30 percent higher than the average.

Subd. 6. Enforcement. Provides enforcement by the commissioner of labor and industry, as provided under existing law. The commissioner may inspect and investigate and issue written citations for violations, set a reasonable timeline to correct violations, and impose a penalty. Citations, penalties, and remedies are set under existing law. Also creates a private civil cause of action for an employee aggrieved by violations of this section. An employee may receive damages and costs, an injunction to comply, and other equitable relief determined by the district court, including reinstatement with back pay. Does not preempt OSHA standards that are more restrictive.

2 **Severability.**

Provides that if any provision or application of the bill is found to be void by a court that the remaining provisions will remain in effect.

3 **Appropriation.**

Appropriates money to the commissioner of labor and industry in fiscal year 2024 and 2025 for enforcement and other duties regarding warehouse distributions workers.



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