

MINNESOTA

Minnesota Adds New FAQs for Earned Sick and Safe Time

The Minnesota Department of Labor and Industry has published new answers to its set of frequently asked questions ([FAQs](#)) for the state's earned sick and safe time law (ESST), a new paid leave mandate that takes effect **Jan. 1, 2024**.

New FAQs

The department added 25 new FAQs covering a variety of topics. Some key points in the new FAQs include that ESST accrual begins immediately when an employee starts working for an employer; employers are not required to allow employees to accrue ESST for partial hours worked if they work less than 30 hours in a pay period; and employers are not required to provide ESST for hours worked out of state.

Other information presented in the new FAQs includes that:

- Employers may not prorate the front-loading of ESST hours for part-year or part-time employees;
- Employers may not tell employees how to find information about their ESST hours in their timekeeping system instead of placing the hours on employees' earnings statements; and
- Employers may deny an employee's request to use ESST for a foreseeable reason if the employee did not follow the notice requirements in the employer's written policy.

The FAQs also explain how to determine the hourly rate for an employee who is paid based on productivity, commission or a daily rate.

Minnesota Earned Sick and Safe Time

Under the new ESST law, employers must provide employees with up to at least 48 hours of accrued paid ESST a year. Employees must work at least 80 hours in a year for an employer in Minnesota to be covered.

Provided to you by [Employco USA, Inc.](#)

Highlights

- The new paid sick and safe leave requirement takes effect Jan. 1, 2024.
- The law does not authorize prorating front-loaded hours.
- The FAQs provide information about calculating ESST pay rates for workers paid by piece rates, by the mile, by a daily rate or by another nonhourly rate.

Employers are not required to credit employees for partial hours of ESST, such as a half-hour after 15 hours worked.