

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 4330

(SENATE AUTHORS: TORRES RAY and Wiklund)

DATE
03/16/2020

D-PG

OFFICIAL STATUS
Introduction and first reading
Referred to Jobs and Economic Growth Finance and Policy

1.1 A bill for an act
1.2 relating to employment; modifying incumbency requirement for pregnancy and
1.3 parenting leave; amending Minnesota Statutes 2018, section 181.940, subdivision
1.4 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 181.940, subdivision 2, is amended to read:

1.7 Subd. 2. **Employee.** (a) Except as provided in paragraph (b), "employee" means a person
1.8 who performs services for hire for an employer from whom a leave is requested under
1.9 sections 181.940 to 181.944 for:

1.10 (1) at least 12 months preceding the request; and

1.11 (2) for an average number of hours per week equal to one-half the full-time equivalent
1.12 position in the employee's job classification as defined by the employer's personnel policies
1.13 or practices or pursuant to the provisions of a collective bargaining agreement, during the
1.14 12-month period immediately preceding the leave.

1.15 (b) Notwithstanding paragraph (a), a female person requesting leave for prenatal care,
1.16 or incapacity due to pregnancy, childbirth, or related health conditions is an "employee" for
1.17 the purposes of sections 181.940, 181.941, 181.942, and 181.943 if she performs services
1.18 for hire for an employer for:

1.19 (1) at least 90 days preceding the request; and

1.20 (2) an average number of hours per week equal to one-half the full-time equivalent
1.21 position in the employee's job classification as defined by the employer's personnel policies

2.1 or practices or pursuant to the provisions of a collective bargaining agreement during the
2.2 12-month period immediately preceding the leave.

2.3 (c) Employee includes all individuals employed at any site owned or operated by the
2.4 employer but does not include an independent contractor.