

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

S.F. No. 4605

(SENATE AUTHORS: RASMUSSON)

DATE
03/07/2024

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Introduction and first reading
Referred to Labor

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to employment; modifying definition of employee for purposes of earned
1.3 sick and safe time; amending Minnesota Statutes 2023 Supplement, section
1.4 181.9445, subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2023 Supplement, section 181.9445, subdivision 5, is
1.7 amended to read:

1.8 Subd. 5. **Employee.** "Employee" means any person who is employed by an employer,
1.9 including temporary and part-time employees, who performs work for at least 80 hours in
1.10 a year for that employer in Minnesota. Employee does not include:

1.11 (1) an independent contractor; ~~or~~

1.12 (2) a public officer who is elected to a governing body or a person who is appointed to
1.13 fill a vacancy in an elected office of a governing body;

1.14 (3) a person appointed to serve on a board or commission of a governmental subdivision
1.15 or an instrumentality thereof;

1.16 (4) an ambulance service personnel classified as paid on call or volunteer;

1.17 (5) a firefighter classified as paid on call or volunteer; or

1.18 ~~(2)~~ (6) an individual employed by an air carrier as a flight deck or cabin crew member
1.19 who:

1.20 (i) is subject to United States Code, title 45, sections 181 to 188;

1.21 (ii) works less than a majority of their hours in Minnesota in a calendar year; and

2.1 (iii) is provided with paid leave equal to or exceeding the amounts in section 181.9446.

2.2 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2024.