

Your Rights and Obligations under the Paid Leave Law in Minnesota



The Office of the
Minnesota Attorney General
helping people afford their lives and live with dignity, safety, and respect

Minnesota law provides for [Paid Leave](#) for working Minnesotans, providing partial wage replacement and job protection for up to 12 weeks of medical leave and up to 12 weeks of family leave each year. Medical leave is for your own serious health condition. Family leave is for bonding with a new child, caring for a family member, managing military leave, and certain personal safety issues such as domestic violence, sexual assault, or stalking, for you or a family member. Job protections are for employees using either kind of leave. The law caps combined medical and family leave at 20 weeks.

Eligibility

Paid Leave coverage is very broad. Paid Leave covers nearly all Minnesota workers – including full time, part time, temporary, and most seasonal workers. It covers nearly every employer, regardless of business industry or size, with the following exceptions:

- [Independent contractors](#), [self-employed](#) individuals, and Tribal Nations are not covered by the program, *but they can [opt in](#)*.
- Federal government employees, postal workers, and railroad employees are not covered for their work at those jobs, and *cannot opt in*.
- Those working in positions that have been designated as [seasonal hospitality](#) employment are excluded from Paid Leave for that position.

Paid Leave is funded by employer and employee premiums together, building a fund to make the benefits possible. This means you must have earnings from the previous year to receive benefits. If you opt in, you must pay one year of premiums (amount is based on the past year of earnings) in advance, submit your request at least the financial quarter before you want coverage to start, and then annually renew your request to opt in and again pay the next year of premiums in advance.

Job Protections

Generally, you must be restored to your job or an equivalent job when you return from leave. Paid Leave [job protections](#) start 90 days after your date of hire.

Generally, your health insurance and other group insurance plans must continue while you are on leave. You and your employer will be responsible for the share of healthcare and other group insurance premiums that you each normally pay.

Obligations

To receive Paid Leave payments, you must [apply](#). Depending on the type of leave that you are applying to take, you will need to collect and submit certain documentation, and you may need to visit a health care professional to have your leave certified.

If you are in an opt-in category, you have obligations to enroll that will ensure access to the benefits.

Enforcement

The Minnesota Paid Leave Law is enforced by the Minnesota Department of Employment and Economic Development and by the Minnesota Department of Labor and Industry for individual cases.

Department of Employment and Economic Development (DEED)

Minnesota Paid Leave is administered by the Department of Employment and Economic Development. If you have a concern about fraud or compliance, please report it.

Department of Employment and Economic Development

1st National Bank Building
332 Minnesota Street, Suite E200, St. Paul, MN 55101
(651) 259-7114 or (800) 657-3858
www.pl.mn.gov/contact/report-concern
Email: DEED.CustomerService@state.mn.us

Department of Labor and Industry (DLI)

If you think your employer is violating your rights by not returning you to the same or similar job after your leave, not providing continued insurance, or retaliating against you for applying for or receiving Minnesota Paid Leave, contact the Department of Labor and Industry's Labor Standards division.

Department of Labor and Industry

443 Lafayette Road North

St. Paul, MN 55155

(651) 284-5005 or (800) 342-5354

www.dli.mn.gov/paid-leave-protections

Email: dli.laborstandards@state.mn.us

Employers who violate the job protections provisions of Minnesota Paid Leave may be liable for damages, interest, liquidated damages, injunctive and other equitable relief. In addition, penalties of \$1,000 to \$10,000 per violation may be assessed against employers who retaliate or interfere in an employee's right to request or obtain Paid Leave benefits.

Minnesota Attorney General's Office

The Minnesota Attorney General's Office may also investigate and prosecute violations of the Paid Leave law. Use the [Wage Theft Complaint](#) form to report a violation.

Minnesota Attorney General's Office

445 Minnesota Street, Suite 600

St. Paul, MN 55101

(651) 296-3353 (Twin Cities Calling Area)

(800) 657-3787 (Outside the Twin Cities)

(800) 627-3529 (Minnesota Relay)

www.ag.state.mn.us/complaint

The statutory language for the Minnesota Paid Leave Law may be found: [Ch. 268B MN Statutes](#); and the published rules issued by DEED may be found: [3317 - MN Rules Chapter](#)