

Minnesota Paid Leave

School Board Work Study Session-October 6, 2025

Paid Family and Medical Leave- what is it?

- Provides up to 20 weeks per year of job-protected time off
- No more than 12 weeks can be used for any single leave need
- Time can be used intermittently
- Employees have a right to reinstatement to same position or true equivalent
 - Same/equivalent position includes compensation, scheduling, geographic location, etc.
- Right to reinstatement begins 90 days after date of hire
- Employers are prohibited from interfering with, obstructing, or impeding employee efforts to see benefits or take leave

Who is covered?

- Anyone who works at least 50% of the time from a location in Minnesota. This includes employees who work from home in Minnesota or spend some time working in other states. However, you are not covered by Paid Leave if you work more than 50 percent of your time in a different state.
- Anyone who earns 5.3% of the state's average annual wage (about \$3,700) in the past year.
- Anyone who has been employed for at least 90 days.
- The following types of jobs usually count toward Paid Leave:
 - Full-time jobs
 - Part-time jobs
 - Temporary work
 - Hourly work
 - Jobs through temp agencies
 - Multiple jobs (you can combine wages from all of them)
 - Some seasonal work
 - Even if someone works just a few hours a week, they may still qualify if their total wages for the year meet the required minimum.

Who else is covered? (DEED Website)

- Undocumented workers Your immigration status does not affect your right to Paid Leave.
- Young workers If you earned enough and your wages are reported, you can apply.
- New workers If you meet the earnings requirement, you are eligible, even if you just started with a new employer. However, you may not have job protections while on Paid Leave if you have not been employed for at least 90 days.
- Multiple jobs You can combine your earnings across all your jobs to meet the minimum.

Reasons for which leave can be taken and benefits received

- An employee's serious health condition
- Medical care related to an employee's pregnancy
 - Includes prenatal care, recovery from childbirth, stillbirth, and miscarriage
 - Bonding (includes time off in connection with adoption and foster care placement)
 - Ends 12 months after birth, unless baby remains in hospital longer than mom
 - DEED FAQ indicates that "employees welcoming children in 2025 are still eligible for leave and benefits in 2026, so long as leave is taken within 12 months of child's birth/adoption/foster placement
- Family care for a family member's or military family member's serious health condition
- Safety for employees/family members who are the victims of domestic assault, sexual assault, or stalking
 - Qualifying exigencies arising from a family member's military active duty

Definition of "family members"

- Spouse
- Domestic partner
- Child (includes foster child, in loco parentis, legal guardian, and "de facto" custodians)
 - Parent/legal guardian (includes foster parent, in loco parentis, legal guardian, and "de facto" custodians)
 - Sibling
 - Grandparent (including spouse's grandparent)
 - Grandchild
 - Son / daughter-in-law
 - Any "individual who has a relationship with the applicant that creates an expectation and reliance that the applicant care for the individual, whether or not the applicant and the individual reside together"

Employee Notice Requirements

- At least 30 days in advance of foreseeable leaves.
- As soon as practicable for unforeseeable leaves.
- As soon as practicable if need for leave changes (e.g., frequency, duration, etc.)
- Requires a 7 day qualifying event.

Other Important Information

- Leave may end early if the employee provides notice to DEED and Employer 2 business days in advance.
- Leave can be extended by providing 14 days notice to DEED and Employer...unless there is good cause for a shorter notice.
- Employee can take intermittent leave.
- Employer cannot require employee to use current paid leave bank.

Timelines and Next Steps

- Effective January 1, 2026.
- Notification Date to staff- by December 1, 2025.
- Communication about long term subs- time off.