

Minnesota Earned Sick and Safe Time

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Minnesota Earned Sick and Safe Time

Purpose

In congruence with county, state, and federal law, Lifeworks' Minnesota Earned Sick and Safe Time policy will expand to all employees and go into effect on January 1, 2024.

Scope

Effective January 1, 2024, nearly all Minnesota employers are required to provide their workers with paid earned sick and safe time (ESST).

Policy

Lifeworks employees, including temporary, part-time, and full-time employees are eligible for ESST if they work at least 80 hours in a year in Minnesota. Employees can accrue up to a maximum of 48 hours of earned sick and safe time per year.

Use of ESST

Employees may use ESST when it accrues, for specific purposes related to the worker's or a family member's well-being, including purposes arising from domestic abuse, sexual assault or stalking. ESST may also be taken for certain public emergency and public health reasons.

Specifically, employees may use ESST for the reasons outlined below:

- Their own or their family member's mental or physical illness, injury, or other health condition; need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for preventive medical or health care.
- Absence due to domestic abuse, sexual assault or stalking of the employee or employee's family member, provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home

This information is available in an alternate format upon request.
Lifeworks is an Equal Opportunity Employer.

- Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding
- Closure of the employee's place of business due to weather or another public emergency, or an employee's need to care for a family member whose school or place of care has been closed due to weather or another public emergency.
- The employee's inability to work or telework because the employee is:
 - Prohibited from working by the employer due to health concerns related to the transmission of a communicable illness related to a public emergency
 - Seeking or awaiting the results of a diagnostic test for or a medical diagnosis of a communicable disease related to a public emergency when the employee has been exposed to a communicable disease or the employer has requested a test or diagnosis
- The determination by a health authority or health care professional that the presence of the employee or their family member in the community would jeopardize the health of others because of exposure to a communicable disease.

Definition of "family member" is defined broadly to include an employee's:

1. Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
2. Spouse or registered domestic partner
3. Sibling, stepsibling, or foster sibling
4. Biological parent, adoptive or foster parent, stepparent or person who stood in loco parentis when the employee was a minor child
5. Grandchild, foster grandchild or step-grandchild
6. Grandparent or step-grandparent
7. A child of a sibling of the employee
8. A sibling of the parents of the employee
9. A child-in-law or sibling-in-law

In addition, "family member" includes any of the family members listed in items 1-9 above of a spouse or registered domestic partner, as well as any other individual

related by blood or whose close association with the employee is the equivalent of a family relationship.

Finally, up to one individual annually designated by the employee may be considered a family member for ESST purposes.

Notice Obligations of Employees

Lifeworks requires advance notice of no more than seven days for foreseeable use of ESST.

If the need for ESST use is unforeseeable, employees may be required to give notice only as soon as practicable.

Documentation

Lifeworks requires documentation from employees that ESST of **more than three consecutive days** was used for a qualified reason. The type of documentation that an employee is required to provide Lifeworks varies depending on the reason for leave.

Employees are not required to provide documentation or any details for the reason they are requesting leave or are taking leave to any other staff or supervisor. Employers may not require details relating to domestic abuse, sexual assault, stalking, or an employee's or employee's family member's medical condition. Written statements by an employee may be written in the employee's first language and need not be notarized or in any particular format.

Employees are required to provide documentation to the Human Resources Department for the reasons outlined below:

Qualifying Reason for Leave	Reasonable Documentation
Health needs of the employee or the employee's family member	Signed statement by a health care professional indicating the need for ESST
Health needs of the employee or the employee's family member, but: <ul style="list-style-type: none"> No services were received from a health care professional; or Documentation cannot be obtained from a health care professional in a reasonable time or without added expense 	Written statement from the employee indicating their ESST use was for a qualifying purpose
Safe leave related to domestic abuse, sexual assault or stalking of the employee or their family member	Court record or document signed by a volunteer or employee of a victims' services organization, an attorney, a police officer or an anti-violence counselor
Care for a family member whose school or place of care has been closed due to a public emergency	Employee's own written statement indicating the ESST was for a qualifying purpose

Accrual and Carryover

Beginning at the start of employment, employees accrue one hour of ESST for every 30 hours worked, up to a maximum of 48 hours per year. "Year" means a regular and consecutive 12-month period, defined as July 1 through June 30 of each fiscal year.

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Unused, accrued ESST carries over into the following year up to a maximum of 80 hours at any time.

Lifeworks will not pay out any unused accrued ESST upon separation of employment in congruence with county, state, and federal law.

Rights & Responsibilities

Employers must give notice to all employees that they are entitled to earned sick and safe time. This includes notice of:

- The amount of ESST
- The accrual year for the employee
- The terms of ESST use
- A copy of any written policy the employer maintains for providing notice of the need to use ESST
- Prohibition of retaliation against employees who request or use ESST and
- Each employee's right to file a complaint or bring a civil action if ESST is denied by the employer or if the employee is retaliated against for requesting or using earned sick and safe time.

Employees can request this notice in their primary language from the Human Resources Department. For primary language notice requests, please contact the Human Resources Department.

Lifeworks Prohibition of Retaliation and EEOC Statement

Retaliation against any individual for making a complaint of harassment or discrimination, for the use of earned sick and safe time, or for participating in an investigation of any claim regarding harassment or inappropriate behavior is strictly prohibited.

If you feel that you have experienced such retaliation, you should immediately report any such retaliation to human resources at Lifeworks administration.

Resources

Resources include external supports that were used to gather, write, define, or explain the policy.

Example:

Minnesota Office of Revisor of Statutes website:

<https://www.revisor.mn.gov/statutes/?id=245B>

Minnesota Department of Human Services: Developmental Disabilities Services handbook, 2010.

Minnesota Department of Labor website: <https://www.dli.mn.gov/sick-leave>

CARF Accreditation Handbook 2010.

Version History

Version	Modified Date	Approved Date	Author	Reason/Comments

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