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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2451

02/22/2012 Authored by Gauthier, Kahn, Slocum, Leidiger, Champion and others
The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to human rights; requiring employers to post employee protections under
1.3 the Minnesota Human Rights Act; increasing the time period of the certificate of
1.4 compliance and filing fee; amending Minnesota Statutes 2010, section 363A.36,
1.5 subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter
1.6 363A.

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

1.8 Section 1. **[363A.071] POSTING REQUIREMENTS.**

1.9 Employers subject to this chapter shall post a notice informing employees of their
1.10 protections under this chapter. The notice must be posted in a conspicuous and easily
1.11 accessible place in the workplace.

1.12 Sec. 2. Minnesota Statutes 2010, section 363A.36, subdivision 1, is amended to read:

1.13 Subdivision 1. **Scope of application.** (a) For all contracts for goods and services in
1.14 excess of \$100,000, no department or agency of the state shall accept any bid or proposal
1.15 for a contract or agreement from any business having more than 40 full-time employees
1.16 within this state on a single working day during the previous 12 months, unless the
1.17 commissioner is in receipt of the business' affirmative action plan for the employment of
1.18 minority persons, women, and qualified disabled individuals. No department or agency of
1.19 the state shall execute any such contract or agreement until the affirmative action plan
1.20 has been approved by the commissioner. Receipt of a certificate of compliance issued by
1.21 the commissioner shall signify that a firm or business has an affirmative action plan that
1.22 has been approved by the commissioner. A certificate shall be valid for a period of ~~two~~
1.23 four years. A municipality as defined in section 466.01, subdivision 1, that receives state
1.24 money for any reason is encouraged to prepare and implement an affirmative action plan

2.1 for the employment of minority persons, women, and the qualified disabled and submit the
2.2 plan to the commissioner.

2.3 (b) This paragraph applies to a contract for goods or services in excess of \$100,000
2.4 to be entered into between a department or agency of the state and a business that is
2.5 not subject to paragraph (a), but that has more than 40 full-time employees on a single
2.6 working day during the previous 12 months in the state where the business has its primary
2.7 place of business. A department or agency of the state may not execute a contract or
2.8 agreement with a business covered by this paragraph unless the business has a certificate
2.9 of compliance issued by the commissioner under paragraph (a) or the business certifies
2.10 that it is in compliance with federal affirmative action requirements.

2.11 (c) This section does not apply to contracts entered into by the State Board of
2.12 Investment for investment options under section 352.965, subdivision 4.

2.13 Sec. 3. Minnesota Statutes 2010, section 363A.36, subdivision 2, is amended to read:

2.14 Subd. 2. **Filing fee; account; appropriation.** The commissioner shall collect
2.15 a ~~\$75~~ \$150 fee for each certificate of compliance issued by the commissioner or the
2.16 commissioner's designated agent. The proceeds of the fee must be deposited in a
2.17 human rights fee special revenue account. Money in the account is appropriated to the
2.18 commissioner to fund the cost of issuing certificates and investigating grievances.