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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5276

04/04/2024 Authored by McDonald; Olson, B., and Torkelson
The bill was read for the first time and referred to the Committee on Labor and Industry Finance and Policy

1.1 A bill for an act
1.2 relating to employment; modifying the definition of employee for purposes of
1.3 earned 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) an individual employed by an air carrier as a flight deck or cabin crew member who:
1.13 (i) is subject to United States Code, title 45, sections 181 to 188;
1.14 (ii) works less than a majority of their hours in Minnesota in a calendar year; and
1.15 (iii) is provided with paid leave equal to or exceeding the amounts in section 181.9446;

1.16 or

1.17 (3) an individual employed by a farmer, family farm, or a family farm corporation to
1.18 provide physical labor on or management of a farm if:

- 1.19 (i) the farmer, family farm, or family farm corporation employs five or fewer employees;

1.20 or

- 2.1 (ii) the farmer, family farm, or family farm corporation employs the individual to perform
- 2.2 work for 14 days or less each year.