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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2776

04/01/2019 Authored by Garofalo, Daniels, Layman, Albright, Gruenhagen and others
The bill was read for the first time and referred to the Committee on Labor

1.1 A bill for an act
1.2 relating to employment; providing uniformity for employment mandates on private
1.3 employers; proposing coding for new law in Minnesota Statutes, chapter 181.

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

1.5 Section 1. TITLE.

1.6 This act shall be titled the "Uniform State Labor Standards Act."

1.7 Sec. 2. [181.741] EXPRESS PREEMPTION; UNIFORMITY OF PRIVATE
1.8 EMPLOYER MANDATES.

1.9 Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in this
1.10 subdivision have the meanings given them.

1.11 (b) "Employer" means a private person employing one or more employees in the state.

1.12 (c) "Local government" means a home rule charter city, statutory city, town, county, the
1.13 Metropolitan Council, a metropolitan agency as defined in section 473.121, subdivision 5a,
1.14 or a special district.

1.15 Subd. 2. Express preemption. (a) A local government must not adopt, enforce, or
1.16 administer an ordinance, local resolution, or local policy requiring an employer to pay an
1.17 employee a wage higher than the applicable state minimum wage rate provided in section
1.18 177.24.

1.19 (b) A local government must not adopt, enforce, or administer an ordinance, local
1.20 resolution, or local policy requiring an employer to provide either paid or unpaid leave time.

2.1 (c) A local government must not adopt, enforce, or administer an ordinance, local
2.2 resolution, or local policy regulating the hours or scheduling of work time that an employer
2.3 provides to an employee. This paragraph does not preempt an ordinance, local resolution,
2.4 or local policy limiting the hours a business may operate.

2.5 (d) A local government must not adopt, enforce, or administer an ordinance, local
2.6 resolution, or local policy requiring an employer to provide an employee a particular benefit
2.7 or terms of employment.

2.8 Subd. 3. **Local governments as employers and contractors.** This section does not
2.9 regulate wages, hours, benefits, paid or unpaid leave, attendance policies, or other terms of
2.10 employment that a local government:

2.11 (1) provides to its own employee;

2.12 (2) requires an employer to provide to its employee to the extent that employer is
2.13 providing goods or services to the local government, and the requirement applies specifically
2.14 to work performed in providing goods or services to the local government; or

2.15 (3) requires an employer to provide to its employee, to the extent that employer is
2.16 receiving funding from the local government or is providing goods or services funded in
2.17 whole or in part by the local government, when the requirement is an express condition of
2.18 the funding.

2.19 **EFFECTIVE DATE.** This section is effective upon final enactment and applies to
2.20 ordinances, local policies, and local resolutions enacted on or after January 1, 2019.