

## CHAPTER 181

EMPLOYMENT; WAGES, CONDITIONS, HOURS,  
RESTRICTIONS

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**181.101 WAGES; HOW OFTEN PAID.**

Every employer must pay all wages earned by an employee at least once every 31 days on a regular pay day designated in advance by the employer regardless of whether the employee requests payment at longer intervals. Unless paid earlier, the wages earned during the first half of the first 31-day pay period become due on the first regular payday following the first day of work. If wages earned are not paid, the commissioner of labor and industry or the commissioner's representative may demand payment on behalf of an employee. If payment is not made within ten days of demand, the commissioner may charge and collect the wages earned and a penalty in the amount of the employee's average daily earnings at the rate agreed upon in the contract of employment, not exceeding 15 days in all, for each day beyond the ten-day limit following the demand. Money collected by the commissioner must be paid to the employee concerned. This section does not prevent an employee from prosecuting a claim for wages. This section does not prevent a school district or other public school entity from paying any wages earned by its employees during a school year on regular pay days in the manner provided by an applicable contract or collective bargaining agreement, or a personnel policy adopted by the governing board. For purposes of this section, "employee" includes a person who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of this section, wages are earned on the day an employee works.

**History:** 1999 c 241 art 9 s 44

**181.58 SURVIVING SPOUSE PAID WAGES DUE.**

For the purposes of this section the word "employer" includes every person, firm, partnership, corporation, the state of Minnesota, all political subdivisions, and all municipal corporations.

If, at the time of the death of any person, an employer is indebted to the person for work, labor, or services performed, and no personal representative of the person's estate has been appointed, such employer shall, upon the request of the surviving spouse, forthwith pay this indebtedness, in such an amount as may be due, not exceeding the sum of \$10,000, to the surviving spouse. The employer may in the same manner provide for payment to the surviving spouse of accumulated credits under the vacation or overtime plan or system maintained by the employer. The employer shall require proof of claimant's relationship to decedent by affidavit, and require claimant to acknowledge receipt of such payment in writing. Any payments made by the employer pursuant to the provisions of this section shall operate as a full and complete discharge of the employer's indebtedness to the extent of the payment, and no employer shall thereafter be liable therefor to the decedent's estate or the decedent's personal representative thereafter appointed. Any amounts so received by a spouse shall be considered in diminution of the allowance to the spouse under section 524.2-403.

**History:** 1999 c 86 art 1 s 45

**181.721 CONSTRUCTION BID EQUITY.**

Subdivision 1. **Workers' compensation and unemployment contribution costs.** A successful bidder on a project must provide coverage for workers' compensation and reemployment compensation for its employees required under chapters 176 and 268, respectively, and other state and federal laws.

Subd. 2. **Employee status.** Employee status shall be determined using the same tests and in the same manner as employee status is determined under the applicable workers' compensation and reemployment compensation benefits laws and rules.

*[For text of subs 3 and 4, see M.S.1998]*

Subd. 5. **Penalty.** In addition to any other penalties provided by law for the failure to obtain required workers' compensation coverage or the failure to make reemployment compensation benefits contributions, a person violating subdivision 1 is guilty of a misdemeanor.

**History:** 1999 c 107 s 66

### 181.932 DISCLOSURE OF INFORMATION BY EMPLOYEES.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Disclosure of identity.** The identity of any employee making a report to a governmental body or law enforcement official under subdivision 1, clause (a) or (d), is private data on individuals as defined in section 13.02. The identity of an employee providing information under subdivision 1, clause (b), is private data on individuals if:

(1) the employee would not have provided the information without an assurance that the employee's identity would remain private, because of a concern that the employer would commit an action prohibited under subdivision 1 or that the employee would be subject to some other form of retaliation; or

(2) the state agency, statewide system, or political subdivision reasonably believes that the employee would not have provided the data because of that concern.

If the disclosure is necessary for prosecution, the identity of the employee may be disclosed but the employee shall be informed prior to the disclosure.

*[For text of subs 3 to 5, see M.S.1998]*

**History:** 1999 c 227 s 14

### 181.9412 SCHOOL CONFERENCE AND ACTIVITIES LEAVE.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Leave of 16 hours.** An employer must grant an employee leave of up to a total of 16 hours during any 12-month period to attend school conferences or school-related activities related to the employee's child, provided the conferences or school-related activities cannot be scheduled during nonwork hours. If the employee's child receives child care services as defined in section 119B.011, subdivision 7, or attends a prekindergarten regular or special education program, the employee may use the leave time provided in this section to attend a conference or activity related to the employee's child, or to observe and monitor the services or program, provided the conference, activity, or observation cannot be scheduled during nonwork hours. When the leave cannot be scheduled during nonwork hours and the need for the leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to disrupt unduly the operations of the employer.

*[For text of subd 3, see M.S.1998]*

**History:** 1999 c 205 art 5 s 21