

Subject Labor Standards Policy and Technical Provisions

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Overview

Makes several policy and technical clarifying changes to labor and employment standards and child labor provisions under the purview of the Department of Labor and Industry (DLI) in Minnesota Statutes, chapters 177, 181, and 181A.

Summary

Section	Description
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| 1 | Identity of complainants.
Expands data provision classifying complainant identity data for violations of additional labor chapters as private data. Clarifies that the DLI commissioner may disclose this data to other government entities with written consent of complainant. |
| 2 | Definitions.
Modifies the definition of “financial assistance” to apply prevailing wage requirements to construction exemptions for a city or school district under section 297A.71 or special law. |
| 3 | Submission of records; penalty.
Allows the DLI commissioner to set the time and manner of submission for employers submitting required labor records. |
| 4 | Compliance orders.
Adds sections 181.10 (wages paid every 15 days) and 181.64 (false statements as inducement to entering employment) to list of labor provisions that the DLI commissioner can enforce through its compliance order authority. |
| 5 | Employer liability.
Allows the DLI commissioner to order reinstatement of an employee as part of the relief granted through its compliance order authority for labor violations. |

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6	Keeping records; penalty. Requires employers to keep records of the earning statements required for each pay period under section 181.032, paragraphs (a) and (b), for three years.
7	Project. Modifies the definition of “project” to apply prevailing wage requirements to additional wholly or partially state-funded projects, including a project altering, improving, or restoring a structure, land, or public work that benefits the public or is intended for public use.
8	Voting. Modifies voting provision of the Minnesota Nursing Home Workforce Standards Board to require that at least two of the five affirmative votes required for the board to take action must be cast by a commissioner member or appointee.
9	Pregnancy accommodations. Requires an employer to maintain health insurance coverage for an employee and their dependents during any required period of leave for pregnancy under section 181.939, subdivision 2, provided that the employee pays the employee share of costs.
10	Continued insurance. Expands the insurance requirement under the pregnancy and parenting leave under section 181.941 to require an employer to maintain health insurance coverage for an employee and their dependents during any required period of leave under this section, provided that the employee pays the employee share of costs.
11	Relationship to other leave. Provides that parenting and pregnancy leave under section 181.941 cannot be reduced by any period of paid or unpaid leave needed for prenatal medical appointments.
12	Powers and duties of the department. Clarifies that a compliance order issued for a violation of a child labor provision under chapter 181A becomes final if no written objection is filed within 15 days. Expands the relief the DLI commissioner can order against an employer through its compliance order authority for child labor violations.
13	Fines; penalties. Clarifies that fines issued by the department for a child labor violation may be “up to” the amount specified and the DLI commissioner need only consider the size of the

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	business, gravity of the violation, and history of past violations in determining the fine amount. The general factors for state agencies under chapter 14 do not apply.
14	Liquidated damages. Adds a liquidated damages provision for violations of the child labor provision prohibiting minors under age 18 from working in particularly hazardous occupations.
15	Retaliation. Prohibits retaliation by an employer against an employee for asserting their rights or filing a complaint under the child labor provisions in chapter 181A or related rules.



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