

Pregnancy and Parenting Leave

The Minnesota Legislature made changes to the laws governing unpaid parental leave in 2014. As part of the Women's Economic Security Act (WESA), the Minnesota law that provided six weeks of unpaid parental leave was extended to 12 weeks and expanded to include leave for pregnancy, childbirth, or related health conditions. (WESA was enacted as [Laws 2014, chapter 239](#).)

What are the details of the leave?

Employers in Minnesota must grant an unpaid leave of absence of up to 12 weeks to an employee who is:

- a biological or adoptive parent in conjunction with the birth or adoption of a child; or
- a female employee for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions.

An employer may require an employee to give reasonable notice of the date the leave is to begin and the estimated duration of the leave. [Minn. Stat. § 181.941](#).

What employers are covered under the leave law?

The law applies to employers with 21 or more employees at at-least one site. [Minn. Stat. § 181.940](#), subd. 3.

What employees are eligible for pregnancy and parenting leave?

An employee eligible for pregnancy and parenting leave is one who works for the employer from whom the leave is requested for:

- at least 12 months preceding the request for leave; and
- on at least a half-time basis based on the average number of hours worked per week during the 12-month period immediately preceding the leave.

[Minn. Stat. § 181.940](#), subd. 2.

How does the pregnancy and parenting leave work with other types of leave?

The length of pregnancy and parenting leave may be reduced by any paid parental, disability, personal, medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks. The leave may also be reduced by the amount of leave taken for the same purpose under the Federal Family and Medical Leave Act (FMLA). Employers, however, may provide more generous leave policies. [Minn. Stat. § 181.943](#).

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