



Ordinance No. 2018-009

City of Minneapolis

File No. 2018-00113

Author: Bender

Notice: Feb 9, 2018

1st Reading: Feb 23, 2018

Committee: PECE

Public Hearing: None

2nd Reading: Mar 9, 2018

Passage: Mar 9, 2018

Publication: MAR 13 2018

RECORD OF COUNCIL VOTE				
COUNCIL MEMBER	AYE	NAY	ABSTAIN	ABSENT
Bender	✗			
Jenkins	✗			
Johnson				✗
Gordon	✗			
Reich	✗			
Fletcher	✗			
Cunningham	✗			
Ellison	✗			
Warsame	✗			
Goodman	✗			
Cano	✗			
Schroeder	✗			
Palmisano	✗			

MAYOR ACTION

APPROVED

VETOED

MAYOR

MAR - 9 2018

DATE

Certified an official action of the City Council

ATTEST:

CITY CLERK

Presented to Mayor: MAR 09 2018

Received from Mayor: MAR 09 2018

Amending Title 2, Chapter 40 of the Minneapolis Code of Ordinances relating to Administration: Workplace Regulations.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 40.210 of the above-entitled ordinance be amended to read as follows:

40.210. - Accrual of sick and safe time. (a) Employees accrue a minimum of one (1) hour of sick and safe time for every thirty (30) hours worked within the geographic boundaries of the City up to a maximum of forty-eight (48) hours in a calendar year. Employees may not accrue more than forty-eight (48) hours of accrued sick and safe time in a calendar year unless the employer agrees to a higher amount. Sick and safe time shall accrue only in hour-unit increments; there shall be no accrual of a fraction of an hour of sick and safe time.

(b) Exempt employees are deemed to work forty (40) hours in each work week for purposes of accruing sick and safe time, except that such an employee whose normal work week is less than forty (40) hours will accrue sick and safe time based upon the employee's normal work week.

(c) Employers shall permit an employee to carry over accrued but unused sick and safe time into the following year. The total amount of accrued but unused sick and safe time for an employee may not exceed eighty (80) hours at any time, unless an employer agrees to a higher amount.

(d) Sick and safe time under this chapter begins to accrue at the commencement of employment of the employee or this chapter's effective date, whichever is later.

(e) An employer may satisfy this section by providing at least forty-eight (48) hours of sick and safe time following the initial ninety (90) days of employment for use by the employee during the first calendar year, and providing at least eighty (80) hours of sick and safe time beginning each subsequent calendar year.

(f) The frequency with which an employer records sick and safe time accrual may be in a manner consistent with current payroll practices as defined by industry standards or existing employer policies, provided such practice or policy is no less frequent than a monthly basis.

Section 2. That Section 40.220 of the above-entitled ordinance be amended to read as follows:

40.220. - Use of accrued sick and safe time. (a) Employees are entitled to use accrued sick and safe time beginning ninety (90) calendar days following commencement of their employment. After ninety (90) calendar days of employment, employees may use sick and safe time as it is accrued.

(b) An employee may use accrued sick and safe time for:

(1) An employee's:

a. Mental or physical illness, injury, or health condition;

b. Need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or

c. Need for preventive medical or health care.

(2) The care of a family member:

a. With a mental or physical illness, injury, or health condition;

b. Who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or

c. Who needs preventive medical or health care.

(3) An absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:

- a. Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
- b. Obtain services from a victim services organization;
- c. Obtain psychological or other counseling;
- d. Seek relocation due to domestic abuse, sexual assault, or stalking; or
- e. Take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.

(4) The closure of the employee's place of business by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.

(5) To accommodate the employee's need to care for a family member whose school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency.

(6) To accommodate the employee's need to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected closure.

(c) If the need for use is foreseeable, an employer may require advance notice of the intention to use sick and safe time, but in no case shall require more than seven (7) days' advance notice. If the need is not foreseeable, an employer may require an employee to give notice of the need for sick and safe time as soon as practicable.

(d) It is not a violation of this ordinance for an employer to require reasonable documentation that the sick and safe time is covered by paragraph (b) for absences of more than three (3) consecutive days.

(e) An employer may not require, as a condition of an employee's using sick and safe time, that the employee seek or find a replacement worker to cover the hours during which the employee uses sick and safe time.

(f) An employer must allow an employee to use sick and safe time in increments consistent with current payroll practices as defined by industry standards or existing employer policies, provided such increment is not more than four (4) hours.

(g) An employer with six (6) or more employees must compensate the employee at the same hourly rate with the same benefits as employee's regular rate of pay for the hours the employee was scheduled to work during the time the employee uses their accrued sick and safe time but in no case shall the employee be compensated at a rate less than the rate requirement in Minnesota Statutes, Section 177.24. Compensation is only required for hours that an employee is scheduled to have worked.