



EY Payroll NewsFlash Workforce Tax Services

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Bloomington, Minnesota requires earned sick and safe leave effective July 1, 2023

Bloomington, Minnesota has published initial [rules](#) implementing its Earned Sick and Safe Leave (ESSL) [ordinance](#), which takes effect July 1, 2023.

Covered employees

All employers are required to provide ESSL to all employees, with certain exceptions, who have physically worked more than 80 hours in the calendar year within the city boundaries of Bloomington. Hours worked outside of Bloomington do not count toward ESSL coverage.

The following employees are exempt from the ESSL requirement:

- Independent contractors
- Unpaid student interns
- Employees classified as extended employment program workers as defined in Minnesota Rules part 3300.6000 and participating in the extended employment program as defined in Minnesota Statutes, Section 268A.15

ESSL accrual

Employees accrue one hour of ESSL for every 30 hours worked up to 48 hours per year and may carry over up to 80 hours of unused ESSL from year to year. Accrual of ESSL begins July 1, 2023, or the first day of employment, whichever is later.

Paid ESSL requirement

Employers with five or more employees must pay employees at their regular rate of pay for scheduled work hours during which employees use their accrued ESSL. An employer with fewer than five employees must allow employees to use their unpaid accrued ESSL and have the option to pay them at the regular rate of pay for scheduled work hours during the time the accrued ESSL is used.

An employer's current business size is based on the average number of employees per week during the previous calendar year. All full-time, part-time and temporary workers, and workers who do not work within the city of Bloomington, are counted in determining the number of employees.

Uses of ESSL

A covered employee may use accrued ESSL for the following reasons:

- An employee's mental or physical illness, injury or health condition; need for medical diagnosis care or treatment of a mental or physical illness, injury or health condition; or need for preventive medical or health care, including pre-natal and post-natal care.
- An employee's need to provide care for a family member that has a mental or physical illness, injury or health condition; needs a medical diagnosis or treatment of a mental or physical illness, injury or health condition; or needs preventive medical or health care, including pre-natal or post-natal care.
- The death of a family member.
- The closure of the employee's place of business by a public official's order; the closure of school or place of care by a public official's order; the closure of school or place of care due to inclement weather, loss of power, loss of heating or loss of water; or any other unexpected closure.
- An employee seeking of counseling services, medical or psychological care, services from victim services organizations (including relocation, legal advice, preparing for, or participating in legal proceedings) due to sexual assault, domestic abuse or stalking.

Employee notice requirements

Employers must give notice to all covered employees of their ESSL rights and protections and include them in any employee handbooks or other orientation materials given to employees.

Employers may comply with the notice requirements by placing the [standard workplace notice poster](#) in a conspicuous place where employees can clearly see it, such as in a breakroom, by a punch clock or at a common meeting place at the work location.

Earnings statements

In addition to the information required on earnings statements under Minnesota state law (Minnesota Statutes Section 181.032(b)), employers must show the number of ESSL hours accrued and unused at the end of each pay period.

Contact us for more information

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