

— **Know your rights** —
**under Minnesota laws
prohibiting age discrimination**

It is unlawful for an employer to:

- refuse to hire or employ
- reduce in grade or position or demote
- discharge or dismiss
- mandate retirement*

on the basis of age.

*For Minnesota employers with fewer than 20 employees there is not a prohibition against mandatory retirement at age 70 or older.

**Employers terminating employees 65 or older
because they can no longer meet the requirements
of the job must give 30 days notice of intention to terminate.**

This poster contains only a summary of Minnesota Statutes 181.81 and 363A.
There are exceptions to this law.

Detailed information or assistance may be obtained by writing or calling
the Minnesota Department of Labor and Industry.

For more information about Minnesota wage and hour requirements, contact:

Department of Labor and Industry
Labor Standards
443 Lafayette Road N.
St. Paul, MN 55155



MINNESOTA DEPARTMENT OF
LABOR & INDUSTRY

(651) 284-5005
1-800-DIAL-DLI (1-800-342-5354)
dli.laborstandards@state.mn.us
www.dli.mn.gov

Posting required by law.

April 2012

— Minimum wage —

Small employers

Aug. 1, 2005 **\$5.25**

Large employers*

Aug. 1, 2005 **\$6.15**

Federally covered employers**

July 24, 2009 **\$7.25**

The state of Minnesota has two minimum wage rates and some employers are covered by federal law.

*A large employer is defined as any enterprise whose annual gross volume of sales made or business done is not less than \$625,000.

**A federally covered employer has an annual dollar volume of business of \$500,000 or engaged in interstate commerce.

— Training wage —

Aug. 1, 2005 **\$4.90**

New employees under age 20 during their first consecutive 90 days of employment

— Overtime —

Time and one-half the regular rate

State-covered employers

After **48** hours

Federally covered employers

After **40** hours

Employee rights

An employer may not discharge, discipline, threaten, discriminate or penalize an employee regarding the employee's compensation, conditions, location or privileges of employment because:

- the employee, in good faith, reports a violation or suspected violation of any state or federal law to an employer, any government body or a law enforcement official;
- the employee is requested by a public body to participate in an investigation, hearing or inquiry; or
- the employee informs the employer he or she is refusing an order to perform an activity the employee knows violates any state or federal law.

The employee, within 15 days of termination, may request in writing the reason for termination. The employer must inform the employee, in writing, the truthful reason for termination within 10 days of the request.

Protected leave

Employers with 21 or more employees at one site must allow employees to take up to six weeks unpaid leave for the birth or adoption of their child and to use accrued sick leave to attend to their sick child, spouse, sibling, parent, grandparent or step-parent.

All employers must allow parents to take up to 16 unpaid hours a year to attend school-related activities or visit early childhood programs their children attend.

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Posting required by law.

August 2013

The Minnesota Legislature authorized the Department of Labor and Industry, Occupational Safety and Health Division, to work with employers and employees throughout the state to prevent worker injuries and illnesses. This is to be accomplished through a combination of research, education, regulation and enforcement.

Employees

The Minnesota Occupational Safety and Health Act (Minnesota Statutes Chapter 182) requires that your employer provide you with a workplace free of known hazards that can cause death or serious injury. You also have other rights and responsibilities under the OSH Act.

- You must follow all Minnesota OSHA (MNOSHA) standards and your employer's safety rules.
- You have the right to discuss your workplace safety and health concerns with your employer or with MNOSHA.
- You can file a complaint about safety and health hazards with MNOSHA and request an inspection to be conducted. You may request your name be withheld from your employer.
- You are free to speak to a MNOSHA investigator inspecting your workplace.
- You have a right to refuse to perform a job or job duty if you believe the task or equipment will place you at immediate and definite risk of death or serious physical injury. However, you must perform any other task to which your employer may assign you. You cannot simply leave the workplace.
- Your employer must provide you with information about any hazardous substances, harmful physical agents and infectious agents you are exposed to at work.
- Your employer cannot discriminate against you for exercising any of your rights under the OSH Act. However, your employer can discipline you for not following its safety and health rules. If you feel your employer has discriminated against you regarding your OSH Act rights, you must file a complaint with MNOSHA within 30 days.
- Employees also have the right: to participate in rulemaking by MNOSHA; to be notified and comment about any variances from standard requirements by your employer; and to see all citations, penalties and abatement dates issued to your employer by MNOSHA.
- Your employer also must provide you with your exposure and medical records upon request.

Employers

You must provide your employees with a safe and healthful work environment free from any recognized hazards that can cause injury or death and comply with all applicable MNOSHA standards. In addition, you must do the following.

- You must allow MNOSHA investigators to conduct inspections, interview employees and review records.
- You must provide all necessary personal protective equipment and training at the employer's expense.
- You **must report to MNOSHA within eight hours** all accidents resulting in the death of an employee or the inpatient hospitalization of three or more employees.
- You have the right to participate in rulemaking done by MNOSHA.
- You must develop an A Workplace Accident and Injury Reduction (AWAIR) program in writing if required under Minnesota Statutes 182.653, subd. 8.
- You must **post a copy of this poster** and other MNOSHA documents where other notices to employees are posted.

Citations and penalties: Those employers found to have willfully or repeatedly violated a MNOSHA standard shall be assessed a fine of \$5,000 to \$70,000. If such a violation causes or contributes to a fatality, this amount is increased to a minimum of \$50,000. Serious, but not willful, violations shall be assessed a penalty of as much as \$7,000. If such a violation causes or contributes to the death of an employee, that amount increases to a minimum of \$25,000. A fine of no more than \$7,000 will be charged for a nonserious violation of the standards.

For more information or to file a complaint about workplace safety or health hazards, contact MNOSHA at:

Department of Labor and Industry
Occupational Safety and Health Division
443 Lafayette Road N.
St. Paul, MN 55155-4307



(651) 284-5050
1-877-470-OSHA (1-877-470-6742)
osha.compliance@state.mn.us
www.dli.mn.gov

Employers, employees and members of the general public who wish to file a complaint regarding the MNOSHA program may write to the federal OSHA Region 5 office at: U.S. Department of Labor, Occupational Safety and Health Administration, Chicago Regional Office, 230 S. Dearborn Street, Room 3244, Chicago, IL 60604. April 2012

This material can be provided to you in different formats (Braille, large print or audio) if you call the MNOSHA Training/Outreach Office at (651) 284-5050; toll-free at 1-877-470-OSHA (1-877-470-6742); or via TTY at (651) 297-4198.

UNEMPLOYED?

Have you lost your job or had your work hours reduced?

You have the right to apply for
Unemployment Insurance benefits.

Apply online at:

www.uimn.org

or by telephone at 651-296-3644 (Twin Cities)

or toll free 1-877-898-9090 (Greater Minnesota)

TTY (for the deaf and hearing impaired) 1-866-814-1252

Your rights to benefits are described in the “**Information Handbook**” which is available online at www.uimn.org

The Minnesota Department of Employment and Economic Development requires you to provide your Social Security number to apply for Unemployment Insurance benefits.

This information is available in alternative formats by calling 651-259-7223.
DEED is an Equal Opportunity Employer/Provider.

DEED- 01760-13 (12/10)

— If you are injured —

- Report any injury to your supervisor as soon as possible, no matter how minor it may appear. You may lose the right to workers' compensation benefits if you do not make a timely report of the injury to your employer. The time limit may be as short as 14 days.
- Provide your employer with as much information as possible about your injury.
- Get any necessary medical treatment as soon as possible. If you are not covered by a certified managed care organization (CMCO), you may treat with a doctor of your choice. Your employer must notify you in writing if you are covered by a CMCO.
- Cooperate with all requests for information concerning your claim.
The law allows the workers' compensation insurer to obtain medical information related to your work injury without your authorization, but they must send you written notification when they request the information.
The insurer cannot obtain other medical records unless you sign a written authorization.
- Get written confirmation from your doctor about any authorization to be off work. The note should be as specific as possible.

— Workers' compensation pays for —

- Medical care for your work injury, as long as it is reasonable and necessary.
- Wage-loss benefits for part of your lost income.
- Compensation for permanent damage to or loss of function of a body part.
- Vocational rehabilitation services if you cannot return to your pre-injury job or to your pre-injury employer due to your work injury.
- Benefits to your spouse and/or dependents if you die as a result of a work injury.

— What the insurer must do —

- The insurer must investigate your claim promptly. If you have been disabled for more than three calendar-days, the insurer must begin payment of benefits or send you a denial of liability within 14 days after your employer knew you were off work or had lost wages because of your claimed injury.
- **If the insurer accepts your claim for wage-loss benefits and you have been disabled for more than three calendar-days:** The insurer will notify you and must start paying wage-loss benefits within the 14 days noted above. The insurer must pay benefits on time. Wage-loss benefits are paid at the same intervals as your work paychecks.
- **If the insurer denies your claim for wage-loss benefits and you have been disabled for more than three calendar-days:** The insurer will send notice to you within 14 days. The notice must clearly explain the facts and reasons why they believe your injury or illness did not result from your work or why the claimed wage-loss benefits are not related to your injury.
If you disagree with the denial, talk with the insurance claims adjuster who is handling your claim. If you are not satisfied and still disagree with the denial, **call the Minnesota Department of Labor and Industry's Workers' Compensation Hotline at 1-800-342-5354.**

Fraud

Collecting workers' compensation benefits you are not entitled to is theft. If you have reason to suspect someone is committing workers' compensation fraud, call 1-888-FRAUD MN (1-888-372-8366).

For more information about workers' compensation or if you need assistance with a claim, contact:

Department of Labor and Industry
Workers' Compensation
443 Lafayette Road N.
St. Paul, MN 55155

(651) 284-5032
1-800-DIAL-DLI (1-800-342-5354)
dli.workcomp@state.mn.us
www.dli.mn.gov

Insurer name

Phone number

Posting required by law in a conspicuous location wherever the employer is engaged in business.



A GUIDE TO MINNESOTA'S LAWS ABOUT SICK AND SAFE LEAVE

WHAT IS REQUIRED?

An employer that allows an employee to take time off for their own injury or illness must also allow the employee to take time off:

- to care for an ill or injured minor child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent in the same manner the employer would allow an employee to use the leave for themselves.
- for themselves or a relative (as listed above) to provide or receive assistance because of sexual assault, domestic abuse or stalking. (M.S. §181.9413).



WHO IS COVERED?

- Employees who have worked for the employer for at least 12 months
- Employees who worked at least half-time during those 12 months
- Employers that have 21 or more employees at one site and
- Employers who offer personal sick leave benefits for absence from work due to an employee's illness or injury



SICK LEAVE BENEFITS NOT REQUIRED

Employers are not required to provide personal sick leave benefits. However, some employers are required to allow eligible employees to be absent from work under the federal Family Medical Leave Act or provisions of the Minnesota Pregnancy and Parental Leave Law.

PAID SICK LEAVE/TIME OFF

The law does not require that sick leave be paid. However, if the employer provides paid time off for the illness or injury of the worker, time off for the illness or injury of a family member must also be paid.

LIMITING TIME OFF

If the employee has more than 160 hours of sick leave available during a 12-month period, the employer may limit the employee's use of the sick leave for the illness or injury of family members other than a minor child to 160 hours.

CONTACT INFORMATION

Department of Labor and Industry
Labor Standards
443 Lafayette Road N.
St. Paul, MN 55155-4306

Phone: (651) 284-5070, toll-free: 1-800-342-5354
Fax: (651) 284-5740
dli.laborstandards@state.mn.us
www.dli.mn.gov/laborlaw.asp



Notice: This flier is a brief summary of Minnesota law and is intended as a guide. It is not to be considered a substitute for Minnesota Statutes regarding sick and safe leave laws.

This document can be provided in different forms, such as large print, Braille or audio, by calling (651) 284-5005.