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# Employment in Minnesota: A Guide to Employment Laws, Regulations, and Practices

Publication 81869 Release 34

October 2014

## HIGHLIGHTS

- **The Minnesota Women's Economic Security Act of 2014 (WESA) Creates New Protected Class for Employees.** WESA expands the list of protected classes under the Minnesota Human Rights Act (MHRA) to include "familial status." Under the Act, an employer may not refuse to hire, discharge or otherwise discriminate against a person based on his or her familial status except where a bona fide occupational qualification exists. WESA defines "familial status" as "the condition of one or more minors being domiciled with (1) their parent or parents or the minor's legal guardian or (2) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian." See § 8-16.
- **Affordable Care Act.** In game-changing decision, the U.S. Supreme Court ruled in *Burwell v. Hobby Lobby Stores, Inc.* that as

applied to closely held corporations, the regulations promulgated by the Department of Health and Human Services requiring employers to provide their female employees with no-cost access to contraception violate the Religious Freedom Restoration Act. See § 5-3[i][1].

- **Collection of Union Fees Unconstitutional.** On June 30, 2014, in *Harris v. Quinn*, the U.S. Supreme Court ruled that the First Amendment prohibits the collection of an agency fee from the plaintiffs in this case, home health care providers who do not wish to join or support a union. See § 10-8.
- **WESA Makes Changes in Wage Laws for Minnesota Employees.** The Act creates Minn. Stat. § 181.172, which prohibits an employer from requiring non-disclosure by an employee of his or her wages as a condition of employment or to take any adverse employment action against an employee for disclosing or discussing the employee's own wages or another employee's wages, which

have been disclosed voluntarily. In addition, employers with employee handbooks must include a notice to employees of their rights and remedies under Section 181.172. *See* § 4-6[l].

• **New Minimum Wage Law in Effect for Minnesota Employees.**

In the 2014 Legislative Session, Minnesota policymakers increased the state's minimum wage effective August 2014. Large employers must pay \$8.00 per hour starting on August 1, 2014; \$9.00 on August 1, 2015; and \$9.50 on August 1, 2016. Small employers must pay \$6.50 per hour starting on August 1, 2014; \$7.25 on August 1, 2015; and \$7.75 on August 1, 2016. The "training wage" (for employees ages 18 and 19 for the first 90 consecutive days of employment) and "youth wage" (for employees under the age of 18) is \$6.50. *See* § 4-3[b].

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