



Saint Louis County

Human Resources Department • 100 N 5th Ave West, RM 1 • Duluth, MN 55802-1202
Phone: 218-726-2422 • Fax: 218-725-5054

To: All St. Louis County Employees

From: James R. Gottschald
Director of Human Resources and Administration

Subj: **Earned Sick and Safe Time Employee Notice**

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave effective January 1, 2024, pursuant to Minnesota Statutes §§181.9445-181.9448, as amended. Under the law, employees must accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year.

The County Board adopted an Earned Sick and Safe Time Policy on December 19, 2023. A year for purposes of the County's Earned Sick and Safe Time Policy accrual is the County's payroll year, consistent with all forms of County paid leave.

For purposes of satisfying earned sick and safe time, the County has previously negotiated (or provided to unrepresented employees via a compensation plan) paid sick leave, vacation leave and personal leave benefits which meet or exceed earned sick and safe time minimum requirements under the law. Eligible temporary employees who are not covered under collective bargaining agreements or compensation plans are eligible for earned sick and safe time pursuant to the County's Earned Sick and Safe Time Policy.

The earned sick and safe time hours the employee has available, as well as those that have been used in the most recent pay period, are reflected on the employee's earnings statement that they receive at the end of each pay period as: Sick Leave, Vacation and Personal Leave - as applicable to employees. Earned sick and safe time is paid at the same hourly rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- An employee's mental or physical illness, treatment or preventive care;
- The mental or physical illness, treatment or preventive care of an employee's family member;
- Absence due to domestic abuse, sexual assault or stalking of an employee or their family member;

- Closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- When determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

Notifying Employer, Documentation

If the need for leave is foreseeable, the County requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for earned sick and safe time as soon as practicable.

When an employee uses earned sick and safe time for more than three consecutive days, the County may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records, or related documentation to support safety leave) and may designate the paid leave time as Family Medical Leave Act (FMLA) time if taken for FMLA qualifying reasons. However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, earned sick and safe time for a qualifying purpose.

The County will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition.

Retaliation, Right to File Complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for earned sick and safe time violations.

For More Information

Contact the Minnesota Department of Labor and Industry's Labor Standards Division at 1-284-5075 or dli.laborstandards@state.mn.us or visit the department's earned sick and safe time webpage at dli.mn.gov/sick-leave.