



## Rest periods

Although Minnesota law does not require an employer to give any specific amount of time for breaks, employers are required by law to allow an employee

to use the nearest restroom facility once every four hours, and sufficient time to eat a meal once every eight hours.

Any break lasting fewer than 20 minutes must be a paid break.



MINNESOTA DEPARTMENT OF  
**LABOR & INDUSTRY**

## Where do I go with questions?

Minnesota Department of Labor and Industry  
Labor Standards  
443 Lafayette Road N.  
St. Paul, MN 55155-4307

Toll-free: 1-800-DIAL-DLI  
(1-800-342-5354)  
Phone: (651) 284-5005  
Fax: (651) 284-5740

### Visit our website:

[www.dli.mn.gov/LaborLaw.asp](http://www.dli.mn.gov/LaborLaw.asp)

This document can be provided in different forms, such as large print, Braille or audio, by calling (651) 284-5070 or (651) 297-4198/TTY.

Minnesota Department of Labor and Industry  
443 Lafayette Road N.  
St. Paul, MN 55155-4307

A guide to Minnesota's  
wage standards

# Records and payments



MINNESOTA DEPARTMENT OF  
**LABOR & INDUSTRY**

## Labor Standards

443 Lafayette Road N.  
St. Paul, MN 55155

Note: This pamphlet contains a brief summary of the record requirements under the Minnesota Fair Labor Standards Act (MFLSA) and payment requirements under Minnesota Statutes Chapter 181. It is intended as a guide for keeping payroll records and making prompt payment. It is not to be considered as a substitute for the statutes.

## Recordkeeping under MFLSA

The Minnesota Fair Labor Standards Act (MFLSA) sets recordkeeping requirements for all covered employees.

Every employer must keep certain records about each worker who is entitled to minimum wage and overtime pay under the MFLSA. The act requires no particular format for the records. It does require that the records include certain *identifying* information about the employee and data about *hours* worked and the *wages* earned. The law requires that this information be kept for a period of not less than *three* years.

### Basic employee information an employer must record:

- a) name, address, Social Security number and occupation;
- b) rate of pay, deductions (taxes, insurance, union dues, other) and the amount paid each pay period;
- c) beginning and ending hours worked each day, including a.m. and p.m. designations, plus total hours worked each day and each work week;
- d) a record of free meals accepted;
- e) proof of age of minors employed:
  - copy of birth certificate
  - copy of driver's license
  - minor's school-issued age certificate
  - I-9 form; and
- f) for each employer subject to MFLSA sections 177.41 to 177.44, and while performing work on public works projects funded in whole or in part with state funds, the prevailing wage master job classifications of each employee working on the project for each hour worked.

## Required statement of earnings

Employers are required to provide each employee with a written statement of earnings. This statement must be issued at the end of each pay period and may be in any form desired, but must include:

- a) the name of the employee;
- b) the hourly rate of pay, if applicable (compensation by methods other than hourly does not in itself excuse an employer from payment of minimum wage and overtime as required by MFLSA);
- c) the total hours worked;
- d) the gross pay;
- e) a list of all deductions (taxes, insurance, union dues, other);
- f) the net pay;
- g) the pay period ending date;
- h) the employer's legal name and d/b/a if different.

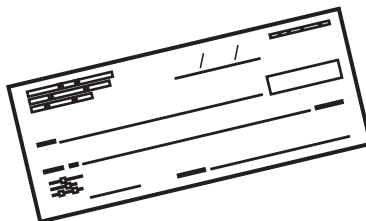


### Penalties

Failure to comply with the provisions of the MFLSA can result in fines of up to \$1,000 for each violation.

## Wages due upon separation

All wages or commissions owed at the time of separation are immediately due upon demand of the employee. The statutes provide penalties if wages are not paid according to the following guidelines:



- for a discharged employee, wages are due within 24 hours of the employee's demand (the demand need **not** be in writing);
- for voluntary-quit employees, wages are due by the next payday, not to exceed 20 days from the last day worked.