



Your job, your rights: Protections under Minnesota's Paid Leave law

Labor Standards Division
Wednesday, June 10, 2026

Labor standards enforced by DLI

- Minnesota Fair Labor Standards Act
- Women's Economic Security Act
- Earned Sick and Safe Time Act
- Child Labor Standards Act
- Minnesota Prevailing Wage Act
- Wage Theft Prevention Act
- Other laws related to employment, wages, conditions, hours.



Think about it

How many lakes does Minnesota have?

Agenda

- **Paid Leave overview**

Linda Miller

Paid Leave

MN Department of Employment and Economic
Development

- **Job protections under Paid Leave**

Sara Ellstra

Labor Standards

MN Department of Labor and Industry

- **Q&A Session**



Paid Leave at work

An overview for employers

June 10, 2026

Where we started



The Paid Leave law, basics, and how we built the program

The Paid Leave law

- Paid Leave was enacted in 2023 and **began Jan. 1, 2026.**
- The law provides **job protections and payments** from the state to individuals who need time off to care for themselves or their loved ones.
- Paid Leave is **funded by premiums** made up of contributions from employees and employers.
- Paid Leave **sends benefit payments directly** to Minnesotans on leave.



Think about it #1

Which of the following workers are eligible for Minnesota Paid Leave?

Covered workers

Covered workers include:

- Full-time and part-time workers
- Most seasonal employees
- Union workers
- Salaried owner-officers
- Agricultural workers
- Employees of religious organizations
- Temporary workers
- Student workers
- Employed family members
- First responders
- Elected and appointed officials

Not covered, can opt in:

- Independent contractors
- Self-employed individuals
- Tribal Nations

Not covered, can't opt in:

- Federal government employees
- Railroad employees
- Designated seasonal employees

Covered leave: Family and Medical

Medical Leave

1 to 12 weeks



Medical

Leave to care for an individual's own serious health condition.

Family Leave

1 to 12 weeks



Bonding

Leave to bond with an individual's child during the first 12 months after the child's birth or after the placement of the child through adoption or foster care.



Military Family

Leave because a family member is on active duty or has been notified of an impending call or order to active duty in the Armed Forces



Caring

Leave to care for a family member with a serious health condition.



Safety

Leave because of domestic abuse, sexual assault, or stalking of the individual or individual's family member.

Maximum of 20 weeks combined in one year if someone qualifies for both medical and family leave

Qualifying conditions must last at least seven days and be certified by a healthcare or other service provider.

Leave schedules

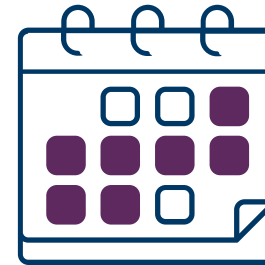
Care can be complicated. Paid Leave can be taken if someone knows the schedule they need, or if they need flexibility.

When someone knows their schedule:

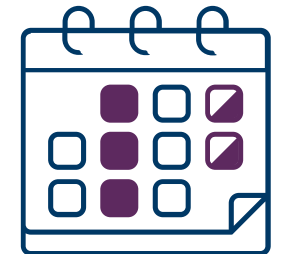
- **Continuous leave** is taken all at once. (ex: 4 weeks of leave)
- **Reduced schedule leave** is taken for the same amount of time each week. (ex: leave every Monday)

When a leave schedule changes:

- **Intermittent leave** is taken when you need it. (ex: a few hours or days when a chronic condition flares up)



Continuous



Reduced
schedule



Intermittent

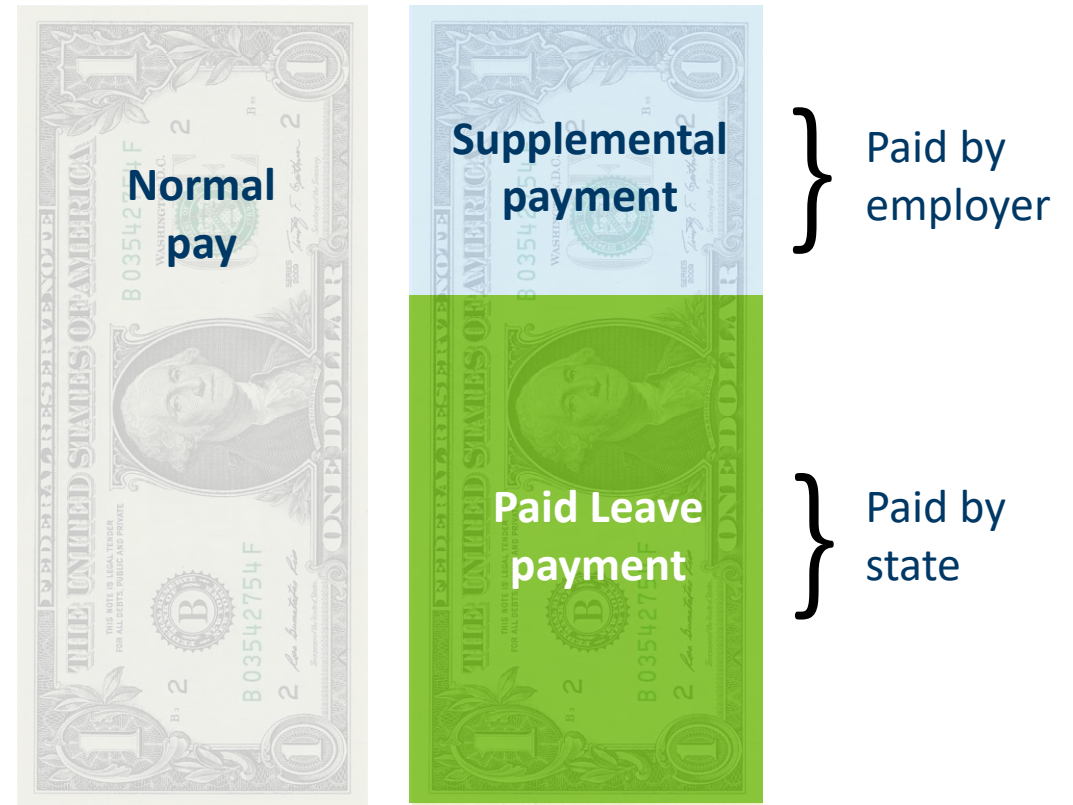
Paid Leave payments

- **Minnesotans get partial wage replacement** under Paid Leave.
- **Lower-wage workers get more support.** If you earn less, you'll get a higher percentage of your paycheck covered while on leave.
- **The maximum weekly benefit is \$1,423 per week.**
- You must have earned at least **5.3%** of the statewide average annual wage in the past year to be eligible for any benefits (currently \$3,900).



Paid Leave and supplemental payments

- Paid Leave provides payments that are a percentage of an employee's usual pay.
- Employers can choose to offer **supplemental payments** to employees on leave through PTO or other benefits.
- Think of it like “topping off” Paid Leave payments.



Paid Leave and other payments



Help employees understand how Paid Leave and other benefits work together.

Some kinds of payments can reduce or replace Paid Leave payments. Total benefits can't exceed usual pay.

- **Workers' Compensation:** Reduces or replaces Paid Leave payments.
- **Unemployment Insurance:** Employees receiving UI cannot also get Paid Leave for the same dates.
- **Social Security Disability Insurance:** Employees receiving or applying for SSDI cannot also get Paid Leave for the same dates.

Employment protections



Job protections

Generally, employees must be restored to their job or an equivalent position when returning from leave. Job protections take effect 90 days after date of hire.



Health insurance continuation

Generally, health insurance and other group insurance must continue. Employers and employees are responsible for usual premiums.



No retaliation or interference

Employers must not interfere with or retaliate against employees who apply for or use Paid Leave.

This applies no matter how long someone has been at their job.

Coordinating other job protections

In addition to Paid Leave, employees may qualify for job protections under other programs. Employers should help employees understand how these work together.

These job protections can run concurrently with Paid Leave:

- **Family and Medical Leave Act (FMLA)**, a federal law that provides up to 12 weeks of unpaid, job-protected leave per year.
- **Pregnancy & Parental Leave (PPL)**, a state law that provides up to 12 weeks of unpaid, job-protected leave during pregnancy or upon the birth or adoption of a child.

If an employer shows that an employee has already taken job-protected leave for a reason that qualifies under Paid Leave once the program starts, then the amount of Paid Leave the employee can take may be reduced.



Paid Leave premiums

In 2026, **the premium rate is 0.88%** of wages for large employers and 0.66% for small employers. This covers both Family and Medical Leave.

- The premium rate is applied on wages up to the Social Security cap (\$185,000).
- The first premiums were due April 30, 2026. The next premium is due
- Generally, premiums are shared between employers and employees.
- Employers may deduct up to 0.44% from employee paychecks.



Small employer premiums

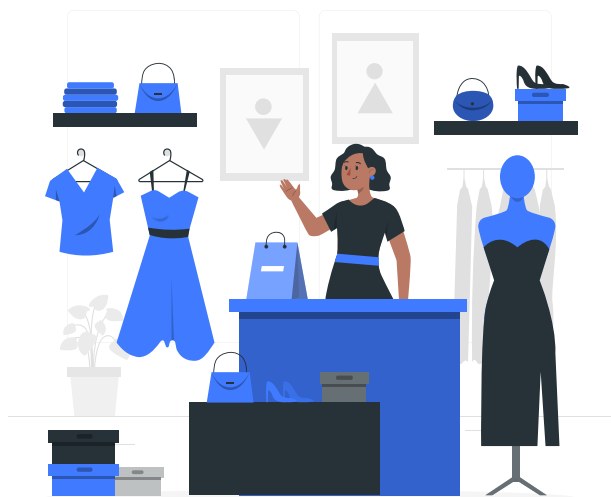


Small employers pay a reduced premium.

- For small employers, the effective **premium rate is 0.66%** of wages.
- This reduced employer premium does not change the amount owed by employees.
- To qualify, an employer must have 30 or fewer employees, and an average employee wage of 150% or less of the statewide average (\$107,016 in 2025).

Small Employer Assistance Grants

Small employers under Paid Leave can now receive funds to support operations after an employee's absence. This grant program is funded at \$5,000,000 each calendar year. Grants are awarded each year until the annual funds are spent.



Qualifications:

- Qualify as a small employer under Paid Leave
- Costs already incurred
- Supporting documentation for costs incurred (e.g., receipt, payroll)
- Funding not guaranteed

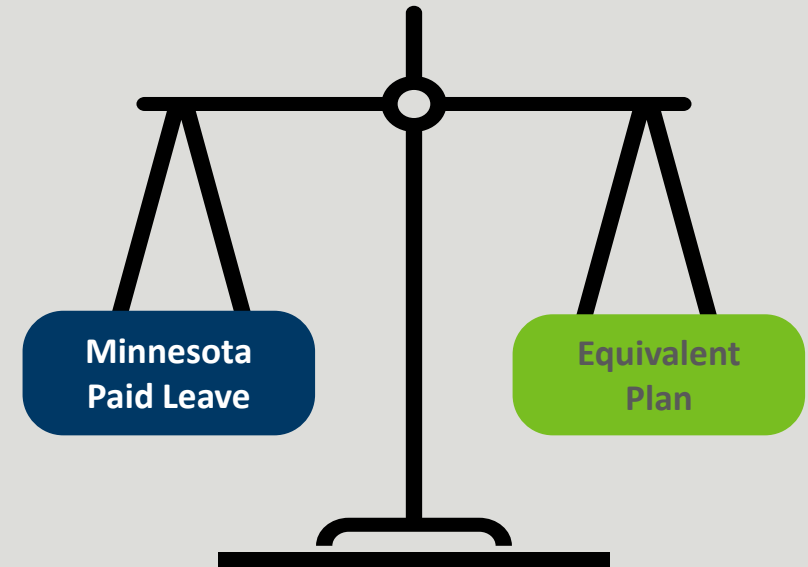
Benefits:

- Up to \$3,000 per leave (up to \$6,000 per employer per year) to:
- Hire temporary workers
 - Increase existing workers' pay
 - Train workers to cover for an employee on leave
 - Other related costs

Equivalent Plans

Employers can choose to meet their responsibilities under Minnesota Paid Leave by providing employees an equivalent plan that meets or exceeds the coverage offered by the state.

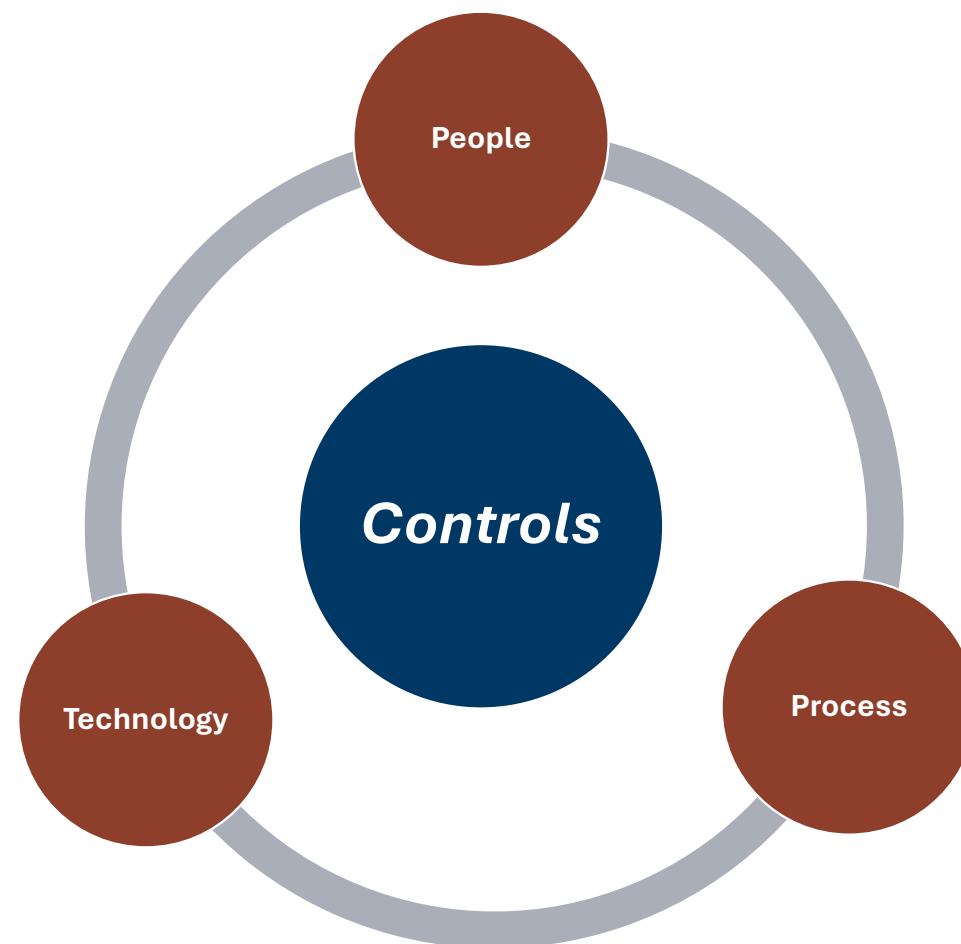
- Equivalent plans can be purchased from a private insurance carrier, or an employer can self-insure and provide coverage to employees themselves.
- Employers approved for an equivalent plan must still submit wage detail reports and comply with requirements to notify employees about coverage.
- Equivalent plans are certified by the Department of Commerce.



An equivalent plan can cover family leave or medical leave in combination with Minnesota Paid Leave – or can cover both.

Program integrity controls

- To ensure Paid Leave is there when people need it, it is essential that program funds are managed responsibly.
- A combination of people, process, and technology are essential for program integrity.
- We've set up Paid Leave to integrate all three by design.



Examples of controls

Our Program Integrity controls intersect with applicants, employers, healthcare providers, and administrative data.

Applicant

- **ID verified** through LoginMN, CPS, or manual review
- Program integrity flag and alert process

Employer

- Employer ID verified through integration with UI
- Dedicated to **opportunity to review every application**

Healthcare provider

- Provider ID verified through licensure information
- **Certification required** for every application

Administrative data

- Integrations with:
 - DPS (Identity Verification)
 - DCYF (Child Support)
 - DLI (Workers' Compensation)
 - Unemployment Insurance
 - DOC (Incarceration Data)

Where we are now



Employers' role, application process, key dates to watch for

Think about it #2

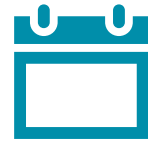
Which of the following is *not* an employer responsibility under Paid Leave?

Employers' role in Paid Leave



Educate and inform

- Provide required notice and poster
- Update handbooks
- Help employees to easily apply



Administer leave

- Set up accounts
- Review applications within 7 days
- Coordinate other benefits



Premiums and reporting

- Decide split with employees, collect premiums
- Pay to the state at the end of each quarter
- Submit wage detail

Set up your accounts

You will need an **Employer Account** and an **Administrator Account** to meet your responsibilities under Paid Leave.

Employer Account (at ui.mn.gov):

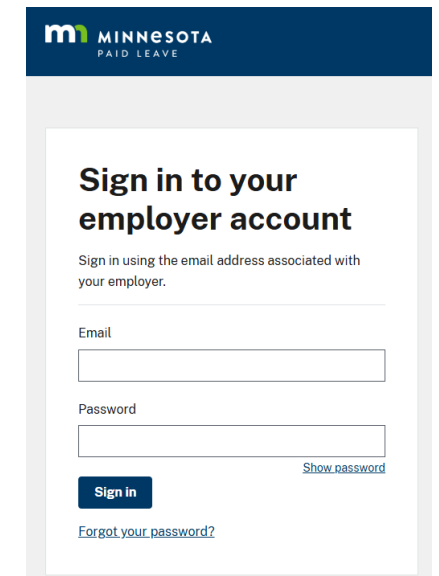
- Submit wage detail reports
- Pay premiums

Administrator Account (at paidleave.mn.gov):

- Review leave applications
- See Paid Leave determinations



The screenshot shows the login page for the Minnesota Unemployment Insurance and Paid Leave Employer System. At the top, there is a header with the Minnesota logo, the text "MINNESOTA UNEMPLOYMENT INSURANCE", the date "Friday, July 18, 2025", and a language dropdown menu set to "English". Below the header, a message reads: "Welcome to the Minnesota Unemployment Insurance (UI) and Paid Leave Employer System" with a note that an asterisk indicates a required field. A sub-message states: "Message updated: 13-Jul-2025 12:00 AM. Do not click on links in text messages. We will NEVER send you a text message about your unemployment account." Below this, a security notice says: "For account security, your password is the same as signing your name." The main section is titled "Existing employer account" and "Log in to your account". It contains two input fields: "User ID" and "Password", both marked with an asterisk to indicate they are required. Below the fields are a blue "Login" button and a link for "Forgot your Password?".



The screenshot shows the sign-in page for an employer account on the Minnesota Paid Leave website. At the top, there is a header with the Minnesota logo and the text "MINNESOTA PAID LEAVE". The main heading is "Sign in to your employer account". Below the heading, a message reads: "Sign in using the email address associated with your employer." There are two input fields: "Email" and "Password". Below the "Password" field is a link for "Show password". At the bottom, there is a blue "Sign in" button and a link for "Forgot your password?".

Your Paid Leave Administrator

Your Paid Leave Administrator can:

- Manage your account with Paid Leave
- Coordinate Paid Leave with other benefits
- Request an Equivalent Plan Substitution
- Review applications submitted by employees
- Apply for small employer assistance funding

You can change or add a Paid Leave Administrator at anytime in your Employer Account at **ui.mn.gov**

The Paid Leave Administrator is the point of contact within your organization for Paid Leave.

Application process

ID verification

Applicants verify their identity through LoginMN or by uploading identity documents as part of their application.

Employer role:

Employers help prevent fraud by reviewing applications and confirming employee information

Application

Our online application takes around 10 minutes to complete.

Employer role:

Employees must notify their employers before they can apply for Paid Leave.

Share your legal name or FEIN: Employees need this info when they apply for Paid Leave. Remind employees if you have an approved equivalent plan.

Help employees understand how PTO and other benefits work with Paid Leave.

Employer response

Employers are notified when employees apply for leave. They have up to 7 days to review certain application information.

Employer role:

Review leaves quickly: You have up to 7 days, but we cannot proceed until this time passes.

You will verify things like usual work schedule and pay and expected leave schedule. You do not approve or deny the application.

If an employee requests a modification, we will inform you and give you another 7 days to respond.

Adjudication

Our team processes over 1,000 applications each day.

Employer role:

You will be notified by email and in your Paid Leave Administrator Account when we approve or deny an application for one of your employees.

Payment

Payments are typically issued on day 8 of your leave and take 3-5 days to process.

Employer role:

Employers can see the payments sent by the state to employees in your Administrator Account.

You can use this information to coordinate “top off” payments or other benefits.

Tips for employers

Things employers can do to help

- **Review leaves quickly:** Employers have up to 7 days, but we cannot proceed until this time passes.
- **Discuss other benefits:** Help employees understand how PTO and other benefits work before or during Paid Leave.
- **Verify ID with LoginMN:** Encourage employees to use this method for efficient, secure processing.

Things to watch for

- **Equivalent plans:** Remind employees if you have an approved equivalent plan. If they apply with the state first, this can slow them down.
- **Short-term disability (STD):** Help employees understand how Paid Leave and STD work together. Generally, they should **apply for both at the same time.**

Applicants: Tips you can share

Tips you can share with employees

- **Verify ID with LoginMN:** This secure process speeds up application review time.
- **Upload certification:** Submit complete documents at the time of application.
- **Apply as soon as you can:** Apply up to 60 days before leave begins. If you're already on leave, apply ASAP.

- **Leave schedule and time:** The leave schedule and time you apply for must match your certification.

3 **Intermittent:** Is it medically beneficial for the patient to be absent from work on an intermittent basis (multiple episodes of time off, which may be irregular or unexpected) due to their condition?

Provide your best estimate of the frequency and duration of the episodes of incapacity during the following dates:

Start date: _____ (mm/dd/yyyy) End date: _____ (mm/dd/yyyy)

Episodes of incapacity are estimated to occur _____ times per (day / week / month).

Episodes of incapacity are estimated to last _____ (hours / days).

Key dates to watch for

Jul 31, 2026

- **Second** premium due to the state
- Premium rate set **for 2027**
- Starting to work with independent actuary now

Dec 1, 2026

- Provide **updated notice to employees** if premium collection changes
- Hang updated poster

Ongoing: Within 30 days of hire

- Provide **Paid Leave notice** to all new employees

Think about it #3

Which of the following will help improve the application experience?



Job protections under Minnesota Paid Leave

Sara Ellstra, supervisor for Paid Leave job protections

Labor Standards Division

June 10, 2026

DLI enforces Paid Leave job protections

- **Retaliation and interference***
- **Waiver of rights void**
- **Assignment of benefits prohibited**
- **Insurance Continuation***
- **Reinstatement after leave***
- **Amount of premiums employers can charge**

*these rights exist under Minnesota's Pregnancy and Parental Leave and Earned Sick and Safe Time laws as well.

Job protections – Retaliation and interference

Employers must not interfere with or retaliate against an employee for applying for or using Paid Leave, or for exercising any other rights under the Paid Leave law.

Examples:

- An employee informs an employer that they will be applying for Paid Leave, and the employer terminates the employee.
- An employer demotes or reduces the schedule of an employee who has applied for intermittent Paid Leave for a serious health condition.

Job protections – No waiver of rights or assignment of benefits



Waiver of rights void:

- Employer and employee cannot agree to waive rights under Paid Leave. Such agreements are void and unenforceable.

Assignment of benefits prohibited:

- Employers cannot assign employee benefits to collection on a debt through a levy, execution, attachment or other remedy.

Job protection – Insurance continuation

- **Insurance continuation:** Generally, employers must continue to fund their portion of healthcare and other group insurance premiums while an employee is on leave. This includes the insurance for employees' dependents.
- **Example:** Employee takes a Paid Leave, but the employer stops paying their portion of the employee's health insurance premium. The employee's insurance lapses, causing them to accrue a large amount of medical debt.
- **Side note:** this provision may be waived for certain employees with collective bargaining agreements in the construction industry.

Think about it #4

When do reinstatement rights under the Minnesota Paid Leave law take effect?

Job protection – Reinstatement

- **Reinstatement:**

- Same or equivalent position
- Right takes effect 90 days after date of hire*
- All other job protections start on the first day of hire.

- **Example of violation:**

- Employee returns to work after 12 weeks of Paid Leave and employer gives employee their job back, but with different duties and lower pay.

*** Reinstatement rights under other laws can start earlier.**

Key concepts for reinstatement after pregnancy and parental leave and Paid Leave

Reinstatement after leave

- Same position or one of comparable duties.
- No reduction in number of hours or compensation.
- No termination while on leave, unless the position would have been eliminated anyway (burden on employer to show).
- Allow part-time return during leave period without employee losing reinstatement right at the end of the leave period.

Employee charge back

Employers must not overcharge an employee for the Paid Leave premium by either:

- (1) deducting more than 50% of the total premium payment from an employee's wages*, or
- (2) deducting premiums that take an employee's wages below minimum wage.

*Amount employers can pass to employees in 2026 is .44%, regardless of whether employer is "small" or has a private "equivalent" plan.



Job protections statistics (Jan. 2026 – May 2026)

Total number of Intakes on Paid Leave job protections: 882

- Retaliation/interference: 176
- Reinstatement: 93
- Continued Insurance: 32
- Assignment of Benefits: 0
- Waiver of Rights Void: 0
- Other: 563 (quick questions, or referrals to DEED)

Thank you

Contact Labor Standards at 651-284-5075 or dli.laborstandards@state.mn.us.

Paid Leave Job Protections: dli.mn.gov/paid-leave-protections

Keep up to date with Labor Standards: dli.mn.gov/bulletin.

Resources

- **Minnesota Paid Leave:** paidleave.mn.gov
- **Paid Leave protections:** dli.mn.gov/paid-leave-protections
- **Family and Medical Leave Act (FMLA):**
dol.gov/general/topic/benefits-leave/fmla
- **Pregnancy and parental Leave:** dli.mn.gov/parental-leave
- **Earned sick and safe time:** dli.mn.gov/sick-leave

Learn more

- Stay up to date with the Labor Standards by signing up for the “Wage and Hour Bulletin.”
- To sign up, visit dli.mn.gov/bulletin or scan the QR code.
- Contact Labor Standards at 651-284-5075 or dli.laborstandards@state.mn.us.



Wage and Hour Bulletin



Q&A

Questions chosen from registration



Scan the QR code or visit the [Microsoft Forms page](#) to submit the survey form.



Upcoming webinars



July 8: Working hard this summer? Know your rights on overtime and gratuities and general information about wage theft



August 4 an Aug. 13: National Breastfeeding Month -- State and federal workplace protections of pregnant and nursing parents and programs to assist and recognize supportive employer practices



To register, visit dli.mn.gov/events.

Thanks

Contact Labor Standards at 651-284-5075 or dli.laborstandards@state.mn.us.