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# Women's Economic Security Act

Annual Report

December 2024

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# Contents

- Women’s Economic Security Act (WESA).....1
- Contents .....2
- Executive summary .....3
  - DLI annual WESA investigative summary .....3
  - DLI cumulative WESA investigative summary .....3
  - Intake numbers .....4
  - Outreach and referrals .....4
- Introduction.....5
- WESA enforcement summary .....6
- WESA laws enforced by DLI .....8
  - I. Wage Disclosure Protection (M.S. § 181.172) .....8
  - II. Pregnancy Accommodations (M.S. § 181.939).....9
  - III. Pregnancy and Parenting Leave (M.S. § 181.941) ..... 11
  - IV. Nursing Mothers and Lactating Employees (M.S. § 181.939) ..... 12
- DLI outreach ..... 14
- WESA 10-year anniversary event.....17
- DLI referrals ..... 19
  - Minnesota Department of Employment and Economic Development..... 19
  - Minnesota Department of Human Rights ..... 159
  - Minnesota Department of Health ..... 169
- Conclusion ..... 169

## Executive summary

The Minnesota Department of Labor and Industry (DLI) is responsible for the enforcement of four provisions of the Women’s Economic Security Act (WESA), passed by the Legislature in 2014 and revised in subsequent years. WESA is a comprehensive employee protection law designed to protect and promote opportunities for women in the workplace.

The four provisions of the law enforced by DLI are:

1. Wage Disclosure Protection (Minnesota Statutes § 181.172);
2. Pregnancy Accommodations (M.S. § 181.939);
3. Pregnancy and Parenting Leave (M.S. § 181.941);
4. Nursing Mothers and Lactating Employees (M.S. § 181.939).

DLI also had enforcement authority over the Sick Leave Benefits; Care of Relatives law (M.S. § 181.9413) which was repealed by the Earned Sick and Safe Time (ESST) law (M.S. § 181.9445, et seq.) effective Jan. 1, 2024. ESST, proposed as part of WESA, is also within DLI’s enforcement authority but has separate annual reporting requirements.

DLI enforces employee rights under WESA through investigations of employee complaints, on-site visits to employer establishments and employee/employer outreach about WESA rights and responsibilities.

This report provides DLI investigative data and outcomes related to its enforcement of WESA for the most recent year (September 2023 through August 2024) and since the law’s adoption in spring 2014.

## DLI annual WESA investigative summary

### September 2023 through August 2024

Complaint type	Complaints filed	Complaints closed	Violations found
Wage Disclosure Protection	0	0	0
Pregnancy Accommodations	26	26	26
Pregnancy and Parenting Leave	8	8	8
Nursing Mothers	20	18	18
Retaliation	18	16	16
Employee Notice	5	5	5
<b>Total</b>	<b>77</b>	<b>73</b>	<b>73</b>

Labor Standards received 24 WESA complaints in the prior reporting period, Sept. 1, 2022, through Aug. 31, 2023. The 77 complaints in this period represent a 221% increase in WESA complaints.

## DLI cumulative WESA investigative summary

July 2014 through August 2024

Complaint type	Complaints filed	Complaints closed	Violations found
Wage Disclosure Protection	32	27	10
Pregnancy Accommodations	54	55	37
Pregnancy and Parenting Leave	46	45	13
Nursing Mothers	59	58	40
Sick Leave Benefits; Care of Relatives	18	16	0
Retaliation	18	16	16
Employee Notice	5	5	5
<b>Total</b>	<b>232</b>	<b>222</b>	<b>121</b>

### Intake numbers

The Labor Standards Division’s case management system can track intakes to the department by issue. The data provided here shows the number of inquiries DLI received on each of the WESA topics from Sept. 1, 2023, through Aug. 31, 2024. Some of these intakes were questions about the law that DLI staff were able to answer on the spot. Others were complaints of violations that resulted in the investigations listed in the tables above.

Sept. 1, 2023, through Aug. 31, 2024

Topic of inquiry	Number of intakes
Wage Disclosure Protection	8
Pregnancy Accommodations	158
Pregnancy and Parenting Leave	332
Nursing Mothers	157
Retaliation	26
Employee Notice	19
<b>Total WESA Intakes</b>	<b>700</b>

Labor Standards received 470 WESA intakes in the prior reporting period, Sept. 1, 2022, through Aug. 31, 2023. The 700 intakes in this period represent a 49% increase in WESA intakes.

### Outreach and referrals

From Sept. 1, 2023, through Aug. 31, 2024, DLI participated in 96 events that included outreach about WESA (13,175 total participants at those events). Two of these events were specialized WESA webinars including DLI, the U.S. Department of Labor’s Wage and Hour Division and the Minnesota Department of Health that brought together health professionals, county health offices and related nonprofit organizations. In fiscal year 2024, DLI used funding from the Legislature appropriated for outreach and enforcement activities related to the nursing mothers, lactating employees and pregnancy accommodations and paid leave laws to fund grants to community partners to educate workers on these laws. These grantees reached 72,315 individuals across the state. DLI

continues to maintain referral relationships with other state agencies affected by the enactment of WESA. DLI has established a formal referral process for complainants with issues related to pregnancy accommodation or possible sex/pregnancy discrimination with the Minnesota Department of Human Rights.

## Introduction

The Minnesota Women’s Economic Security Act (WESA) became law on Mother’s Day 2014.<sup>1</sup> It is a combination of 14 provisions designed to address gender equity, create new training and entrepreneurship opportunities for women and prohibit discrimination on the basis of familial status.

WESA includes four workplace protections that are enforced by the Department of Labor and Industry (DLI):

1. Wage Disclosure Protection (M.S. § 181.172);
2. Pregnancy Accommodations (M.S. § 181.939);
3. Pregnancy and Parenting Leave (M.S. § 181.941); and
4. Nursing Mothers and Lactating Employees (M.S. § 181.939).

DLI is authorized to enforce these WESA laws under the commissioner’s authority of M.S. § 177.27. DLI may issue an order to an employer requiring it to comply with WESA and to cease and desist from violating the law. DLI can order an employer to pay back wages and liquidated damages to an employee who has suffered a wage loss due to a violation of a WESA workplace protection. DLI can also assess a penalty of up to \$10,000 for each violation for willful or repeated activities. In addition, M.S. § 181.944 gives workers the right to sue their employer in district court for violations of WESA. As of July 1, 2019, the Minnesota Attorney General’s office also has enforcement authority over all of M.S. Ch. 181, which includes all four of these WESA laws.

In addition, effective Aug. 1, 2024, workplace protections for expectant and new parents were expanded.<sup>2</sup> Changes include:

- Prohibiting employers from reducing time spent on prenatal care appointments from the 12 weeks period provided for the purpose of pregnancy and parenting leave.
- Requiring employers to continue to pay for the costs associated with health insurance for the employee and any dependents during their pregnancy and parenting leave as if the employee is not on leave. However, employees are still expected to continue to pay their share of the cost.

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<sup>1</sup> Minnesota Session Laws 2014; Chapter 239 ([revisor.mn.gov/laws/2014/0/Session+Law/Chapter/239/](https://revisor.mn.gov/laws/2014/0/Session+Law/Chapter/239/)).

<sup>2</sup> Minnesota Session Laws 2024; Chapter 110 ([revisor.mn.gov/laws/2024/0/Session+Law/Chapter/110/](https://revisor.mn.gov/laws/2024/0/Session+Law/Chapter/110/))

## WESA enforcement summary

From July 2014 through August 2024, DLI completed 222 investigations of alleged violations of WESA provisions within its legal authority.<sup>3</sup> DLI has the following observations and recommendations.

First, employers have often been unaware of their responsibilities related to WESA. However, upon learning of the responsibilities through DLI's investigative and outreach efforts, many employers came into compliance willingly and expeditiously. This highlights the importance of continuing DLI's outreach and educational initiatives to ensure employees and employers are aware of their rights and obligations under these laws.

Second, the number of complaints regarding nursing mothers and lactating employees' accommodations increased 186% (from seven to 20) from the prior reporting period (September 2022 to August 2023) to the current reporting period (September 2023 to August 2024). Meanwhile, the number of violations found rose by 500% (from three to 18) in the same period. Notably, DLI's investigation of Menards, a national home improvement retail chain, found WESA violations at a branch location where an employee had filed a complaint. Following this discovery, DLI required the employer to conduct a self-audit across all its Minnesota stores. The audit revealed that the rights of eight additional nursing mothers had been violated. As a result, nine employees recovered a total of \$6,625.40 in back-wages due to the employer's failure to compensate for breaks taken to express milk during work hours.

The overall increase in complaints related to nursing mothers and lactating employees' accommodations can largely be attributed to DLI's outreach strategies, including collaborations with community-based organizations and the digital dissemination of WESA-related information to targeted stakeholders.

Third, DLI investigated 18 complaints alleging retaliation during the most recent reporting period related to rights under WESA, involving issues such as pregnancy accommodations, expressing milk in the workplace and pregnancy and parenting leave. Of the 18 investigations, 16 violations were identified, revealing various adverse employment actions taken by employers against pregnant and lactating employees. These included pretextual terminations after asserting rights, removing employees from schedules, denying or forcing accommodations, placing employees on early leave instead of providing needed accommodations, failing to pay for breaks taken to express milk and issuing poor performance evaluations linked to these breaks.

To address these issues, DLI educated employers about their legal obligations and directed them to comply with the law. As a result of six investigations, employers voluntarily reinstated affected employees back into employment and paid a total of \$7,857.98 to compensate for lost wages during the period of noncompliance. In cases where employees were not terminated or removed from schedules, DLI effectuated compliance by working informally with employers to provide all reasonable accommodations, preserve employees' rights to 12 weeks of leave and allow breaks for expressing milk based on each employee's individual needs. Additionally,

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<sup>3</sup> The reported 222 figure includes 18 investigations specific to Sick Leave Benefits; Care of Relatives (M.S. § 181.9413) which was repealed and replaced with the Earned Sick and Safe Time law, effective Jan. 1, 2024.

DLI ensured that any negative remarks in employee evaluations related to accommodations or rights exercised were rescinded. To promote ongoing compliance, DLI also required employers to update their written policies on breaks for nursing employees and accommodation requests.

Fourth, during the most recent year, complaints related to pregnancy accommodations saw the largest increase compared to other WESA violations, with total complaints rising from three in the prior reporting period, September 2022 to August 2023, to 26 in this reporting period, September 2023, to August 2024. DLI found violations in all 26 cases, often working informally with employers to achieve compliance.

To help mitigate instances of noncompliance with WESA's pregnancy accommodation provisions, DLI is strategically partnering with members of the medical community who frequently interact with pregnant and nursing employees. Recognizing that employers often rely on medical notes for guidance, DLI collaborated with an obstetrician-gynecologist to create standardized doctor letters that outline relevant WESA provisions based on whether the employee is prenatal or postpartum. These letters are currently in use by multiple major health care systems in Minnesota and are under review for implementation by others. DLI is actively working to encourage additional health care systems to adopt this practice through targeted outreach efforts.

Additionally, in some instances, DLI has made its staff available to provide employer-wide training when needed for human resources (HR) practitioners. This initiative aims to ensure that HR professionals fully understand their obligations under WESA, with the goal of reducing future instances of violations.

Overall, the total number of WESA complaints filed increased by more than threefold, rising from 24 in the prior reporting period, September 2022 to August 2023, to 77 in this reporting period, September 2023, to August 2024, while the total number of violations found increased sevenfold, from 10 to 73. This significant rise in both complaints and violations highlights the importance of DLI and its grantee partners in continuing their efforts to educate employees and employers about their rights and duties under WESA.

Finally, many of the complaints reviewed by DLI could have been resolved through open communication between employers and employees. Effective July 1, 2023, the requirements under M.S. § 181.939, subd. 3, mandate that employers provide notice of nursing mothers, lactating employees and pregnancy accommodation rights to employees in their primary language at the time of hire and when inquiries are made about parental leave and in an employee handbook, if one is provided. DLI has provided a sample notice in multiple languages at [dli.mn.gov/newparents#notice](https://dli.mn.gov/newparents#notice). These requirements are expected to continue to facilitate communication and reduce complaints.

In line with this emphasis on communication, DLI's investigative work during this reporting period indicates that the newly required employee notices have effectively prompted employees to recognize their rights under WESA and engage DLI when those rights are not fully honored. DLI anticipates that its initiative to encourage health care systems across Minnesota to adopt a standardized doctor letter outlining relevant provisions of WESA combined with the mandated written notices to employees, will enhance collaboration in workplaces that not only promotes compliance but also enhances awareness and understanding of employee rights. By fostering this synergy, DLI aims to empower both employers and employees, ensuring that the provisions of WESA are effectively integrated into workplace culture.

## WESA laws enforced by DLI

### I. Wage Disclosure Protection (M.S. § 181.172)

The Wage Disclosure Protection law prohibits employers from requiring employees not to disclose their own wages or conditions of employment. It also prohibits employers from requiring employees to sign a waiver that purports to deny their right to disclose their wages. Employers cannot take adverse employment action against employees who disclose their own wages or discuss another employee's wages that were voluntarily disclosed by that employee.

Employers that have an employee handbook are required to include notice to their employees of their rights and remedies under the wage disclosure law.

DLI has provided the following sample notice language on its website to assist employers.

***Notice to employees** – Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under the Wage Disclosure Protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at 651-284-5070 or 800-342-5354.<sup>4</sup>*

In addition to investigating complaints about this issue, Labor Standards investigators also identify when employers' written policies are in violation of this law. When that occurs, DLI educates the employer and provides DLI's sample written notice to employees about wage disclosure for inclusion in the employer's employee handbook. From Sept. 1, 2023, through Aug. 31, 2024, DLI did not receive any wage disclosure complaints. Since the law's inception, DLI has received 32 complaints alleging violations of these laws.

### II. Pregnancy Accommodations (M.S. § 181.939)

The Pregnancy Accommodations law requires employers to provide reasonable accommodations to employees with health conditions related to pregnancy or childbirth.

Eligibility for pregnancy accommodation protection under WESA changed on July 1, 2023, to allow protections under this law to any pregnant employee who works for an employer with one or more employees.

Also, effective July 1, 2023, employers must provide employees notice of pregnancy accommodation rights in employees' primary language at the time of hire, when an employee makes an inquiry about or requests parental leave and in an employee handbook, if one is provided. DLI has provided a sample notice in multiple languages at [dli.mn.gov/newparents#notice](https://dli.mn.gov/newparents#notice)

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<sup>4</sup>See [dli.mn.gov/business/employment-practices/womens-economic-security-act-faqs](https://dli.mn.gov/business/employment-practices/womens-economic-security-act-faqs).



Discrimination because of pregnancy is prohibited under the Minnesota Human Rights Act.

Pregnant employees are entitled to three types of accommodations without having to provide documentation from a licensed health care provider or certified doula or otherwise prove the accommodation is necessary. An employer may not deny any of these automatic accommodations, nor claim they create an undue hardship:

1. more frequent or longer restroom, food and water breaks;
2. seating; and
3. limits on lifting more than 20 pounds.

Employees may, with the advice of a licensed health care provider or certified doula, request the employer provide other reasonable accommodations, such as transfer to a less strenuous position, temporary leave of absence or modification in work schedule or job assignments. The employer and employee must engage in an interactive process with respect to an employee's request. An employer may deny requested pregnancy accommodations if it can show it would cause the employer an undue hardship. The employer cannot require an employee to take leave or accept pregnancy accommodations the employee does not want. Moreover, employers are prohibited from taking any adverse employment action against an employee for asserting their rights under this segment of WESA.

DLI must conduct an expedited investigation of pregnancy accommodation complaints. DLI is required to contact the employer within two business days and investigate the complaint within 10 days.

From Sept. 1, 2023, through Aug. 31, 2024, DLI received 26 complaints related to the Pregnancy Accommodations law, with all 26 resulting in DLI finding violations of the law. The employers in these cases were contacted within two business days and the complaint investigated within 10 days of receiving the complaint, as is required under M.S. § 181.9435.

**2024 DLI case examples:**

A pregnant bus driver in the transportation sector was initially denied more frequent breaks to eat. Although the employer eventually agreed to the request, the employee's work schedule prevented her from actually taking the break and no adjustments were made to her schedule.

DLI contacted the employer to explain M.S. §181.939, subd. 2, which requires reasonable accommodations for pregnant employees and mandates an interactive process to evaluate accommodation requests. As a result, the employer modified the employee's schedule to include two additional breaks every two to three hours specifically for eating, separate from her existing restroom and lunch breaks.

\* \* \*

In another investigation, a pregnant home care services provider reported being terminated after nearly two years of employment. She stated that her termination occurred shortly after she requested a lifting restriction of no more than 20 pounds. The employer cited lack of

communication as the reason for termination, referring to two pregnancy-related absences that happened about six weeks before her termination.

DLI's investigation found that the employer's reasons for termination were pretextual and the employee had been retaliated against for asserting her right to request a lifting restriction. DLI reached an agreement with the employer's legal counsel to reinstate the employee and reimburse her for lost wages. The investigation determined that the employee had lost approximately 70.5 hours of work and the employer compensated her \$1,480.50 for the lost wages.

Additionally, the employer was required to begin providing the necessary legal notices as required under M.S. §181.939, subd. 3 and update its written policies to reflect the latest changes in the law effective July 1, 2023, and Aug. 1, 2024.

\* \* \*

In a third investigation, a health care support worker reported being forced into an early leave of absence instead of being provided reasonable accommodations supported by a note from her medical provider. The requested accommodations included breaks for hydration, regular restroom use, sitting at regular intervals and not assisting with emergencies like CPR, which required kneeling and lifting. The employer cited undue hardship as the reason for denying the accommodations.

DLI informed the employer about its obligations under M.S. §181.939, subd. 2, which mandates accommodations for pregnant employees, including seating, limits on lifting more than 20 pounds and more frequent or longer breaks for food, water and restroom use. The employer then coordinated with other staff to assist with lifting patients and supported the employee's need to sit and take breaks as required.

DLI found that the employee could have performed all essential job duties if her accommodations had been provided in a timely manner. As a result, the employer was required to pay the employee \$3,080 to reimburse her for lost wages during the period she was wrongfully forced into leave instead of being accommodated.

In addition, the employer was required to provide the legal notices outlined in M.S. §181.939, subd. 3, and update its written policies to reflect the latest changes in the law effective July 1, 2023.

### **III. Pregnancy and Parenting Leave (M.S. § 181.941)**

The Pregnancy and Parenting Leave law requires that an employer provide at least 12 weeks of unpaid pregnancy and parenting leave within 12 months of the birth or adoption of a child. Employers are prohibited from taking any adverse employment action against an employee for requesting or obtaining a leave of absence provided in this section.

Eligibility for pregnancy and parenting leave under WESA changed on July 1, 2023 to allow protections under this law to any employee who works for an employer with one or more employees, regardless of how long the

employee has worked for the employer. Moreover, as of Aug. 1, 2024, WESA has been amended to specifically prohibit employers from reducing time spent on prenatal care appointments from the 12 weeks period provided under this section of the law.

From Sept. 1, 2023, through Aug. 31, 2024, DLI received eight complaints related to the Pregnancy and Parenting Leave law, with eight resulting in DLI finding violations of the law.

**2024 DLI case examples:**

A male worker in the animal husbandry sector reported being terminated after asserting his right to parental leave to bond with his newborn daughter. He requested parental leave more than a month before the birth, but the employer failed to provide the required written notice, as outlined in M.S. §181.939, subd. 3, which would have informed him of his rights. Initially, the employer approved three weeks of leave but later reduced it to just one week. After returning from that week of leave, the employee requested additional time off, which led to his termination.

The employer cited repeated failure to follow required protocols as the reason for termination. However, DLI found this explanation to be pretextual, as the employee had not faced any disciplinary action prior to his termination. DLI concluded that the employee experienced an adverse employment action after asserting his right to parental leave.

As a result, DLI required the employer to reinstate the employee into his position in addition to paying the employee \$2,062.09 to compensate the employee for lost wages during the period of noncompliance. Additionally, the employer was required to implement the dissemination of the legal notices required under M.S. §181.939, subd. 3, and to update its written policies to reflect overall compliance with WESA.

\* \* \*

In another case, a therapist reported that her employer refused to honor her rights to pregnancy leave, insisting that she provide a doctor's note to substantiate her need for leave, even though there are no requirements in WESA that would obligate an employee to provide a doctor's note to certify their need for up to 12 weeks of leave. After she submitted a note from her medical provider indicating the necessity for six to eight weeks of leave following childbirth, the employer still denied her request, citing staffing needs and the inability to guarantee that her position would be available after her leave.

The employer was unaware that under WESA, an employee must be reinstated to their former position or a comparable position following the end of their pregnancy leave, with the same number of hours and pay, unless a layoff occurs that would have affected the employee's position regardless of their leave. After DLI informed the employer of its obligations under WESA, the employer granted the employee the requested leave in accordance with WESA.

## IV. Nursing Mothers and Lactating Employees (M.S. § 181.939)

The Nursing Mothers and Lactating Employees law requires employers of any size to provide both a reasonable amount of time and a suitable space for an employee to express milk.

An employer must provide reasonable, paid break times each day to any employee who needs to express milk. Changes to M.S. § 181.939 effective July 1, 2023, eliminate certain exceptions to the law, including eliminating the one-year time limit on expressing milk and the exception allowing an employer to not provide breaks to express milk if doing so would unduly disrupt the employer's operations.

Also, effective July 1, 2023, employers must provide employees notice of nursing mothers and lactating employee accommodation rights in employees' primary language at the time of hire, when an employee makes an inquiry about or requests parental leave and in an employee handbook, if one is provided. DLI has provided a sample notice in multiple languages at [dli.mn.gov/newparents#notice](https://dli.mn.gov/newparents#notice).

An employer must make a reasonable effort to provide a clean, private, and secure space to express milk that:

1. is in close proximity to the work area;
2. is a room other than a bathroom or toilet stall;
3. is shielded from view;
4. is free from intrusion from coworkers and the public; and
5. includes access to an electrical outlet.

DLI must conduct an expedited investigation of nursing mothers' complaints. DLI is required to contact the employer within two business days and investigate the complaint within 10 days.

Further, an employer may not retaliate against an employee for asserting rights or remedies under the Nursing Mothers and Lactating Employees law.

Importantly, employers cannot reduce an employee's compensation for time taken to express milk. However, the law does not require employers to start paying for current unpaid break time used to express milk, such as a meal break.

From Sept. 1, 2023, through Aug. 31, 2024, DLI received 20 complaints related to the Nursing Mothers and Lactating Employees law, with 18 resulting in DLI finding violations of the law. The employers in these cases were contacted within two business days and the complaint investigated within 10 days of receiving the complaint, as is required under M.S. § 181.9435.

### 2024 DLI case examples:

An assembly worker in the technology sector reported that her employer required her to clock out during her breaks to express milk each day, mandating that these breaks coincide with her existing unpaid break times. The employee also indicated that, on some occasions, her employer denied her the opportunity to express milk altogether during work hours. This failure to provide adequate

breaks led to her developing engorgement-related symptoms, causing her to leave work on two separate occasions due to unbearable pain.

DLI investigated and directed the employer to collaborate with the employee to provide an adequate and predictable break schedule to express milk based on the employee's needs. Due to issues involving the occasional unavailability of lactation space for the employee, the employer committed to working with the affected employee to find a compliant space if the need arises. Additionally, the employer restored all paid-time-off hours used to compensate for the hours the employee left early because adequate breaks were not provided, as required under M.S. § 181.939.

\* \* \*

In another investigation, DLI was contacted by an employee of a childcare center who reported that she was not receiving regular break times to express milk. The employer questioned her need to continue pumping since her child had started eating solid foods. Additionally, the employer required the employee to express milk in a room with large windows facing a hallway, which lacked privacy, and the door lock was inadequate, allowing for potential intrusion.

DLI's investigation revealed that the employee was not regularly relieved from her duties to take breaks and the space provided for expressing milk did not meet the specifications outlined in M.S. § 181.939. DLI required the employer to designate individuals to relieve the nursing employee daily so she could express milk in a predictable manner. Furthermore, the employer was mandated to make reasonable efforts to provide a space that complies with the statute for the employee to express milk.

## DLI outreach

The Labor Standards Division at DLI responds to more than 20,000 inquiries annually from workers, employers and others about various wage-and-hour concerns, including WESA protections. Labor Standards also engages in proactive outreach to educate employees and employers on their rights and responsibilities under these laws.

Labor Standards provides written information about WESA to employers and employees. DLI created a website about workplace rights and responsibilities for new parent workers and employers at [dli.mn.gov/newparents](https://dli.mn.gov/newparents). The landing page includes FAQs, information about 2024 changes to workplace protections for expectant and new parents, videos and employee-oriented brochures in English, Hmong, Somali and Spanish. Labor Standards continues to publish a monthly email bulletin to help inform employers about the state's minimum wage, overtime, tips, wage deductions, child labor and WESA requirements, among other topics.

DLI continues to participate in outreach events to educate employers, associations, community-based organizations, and worker advocates about WESA and how to contact DLI for information and assistance. From Sept. 1, 2023, through Aug. 31, 2024, DLI participated in 96 outreach events where it provided WESA information or training.

Finally, in addition to its ongoing efforts to raise awareness about WESA, DLI received \$134,000 in dedicated funding support from the state legislature for fiscal year 2024 to focus on WESA outreach and compliance activities. Support coincided with legislative changes that broadened employer requirements for pregnant and new parent employees.

DLI has implemented a WESA outreach plan to focus resources and raise awareness about the nursing mothers, lactating employees and pregnancy accommodation protections. This plan included the following activities from September 2023 to August 2024:

- There were 96 events that included outreach about WESA (13,175 total participants at those events). Two of these events were specialized WESA webinars including DLI, the U.S. Department of Labor's Wage and Hour Division and the Minnesota Department of Health that brought together health professionals, county health offices and related nonprofit organizations.
- DLI updated and continued to publish and distribute multilingual (English, Hmong, Somali and Spanish) brochures for pregnant and new parents about their rights under WESA. About 10,080 brochures were distributed to 130 health care organization locations, including 7,205 English, 2,115 Spanish, 430 Somali and 330 Hmong, for distribution to pregnant workers and new parents. Organizations included hospitals' maternity areas, midwifery offices, OB-GYN clinics, Women, Infants and Children offices and county health departments located throughout the state, including Rochester, Northfield, Red Wing, Oakdale, Willmar, Mankato, Worthington and throughout the metro area.
- DLI published the pregnant workers and new parents' webpage on May 3, 2021. From Sept. 1, 2023, to Aug. 31, 2024, DLI recorded 58,000 visits to the webpage.
- Informational videos were created in English, Hmong, Somali and Spanish about rights and responsibilities under WESA. The video was viewed approximately 886 times between September 2023 to August 2024.
- In May 2024, DLI provided five organizations grant funding to educate Minnesota workers and employers about WESA and the new Paid Leave law, which goes into effect Jan. 1, 2026. Projects will run from July 1, 2024, through June 30, 2025.
- DLI issued *Wage and Hour Bulletin* newsletters covering WESA in July 2024 to about 40,000 subscribers.
- DLI has been running online ads about WESA on Google, Meta and Twitter since 2021. From Sept. 1, 2023, to Aug. 31, 2024:
  - 22,658 people clicked on the Meta ads; and
  - 6,127 people clicked on the Google ads.

The department intends to continue social media and online messaging each month, outreach grants and brochure distribution as funding permits.

Information and frequently asked questions about WESA can be found on DLI's website at [dli.mn.gov/business/employment-practices/womens-economic-security-act-faqs](https://dli.mn.gov/business/employment-practices/womens-economic-security-act-faqs) and at [dli.mn.gov/newparents](https://dli.mn.gov/newparents).

DLI has developed a series of workplace fact sheets for employers and employees that are available online.

- Wage disclosure – [dli.mn.gov/sites/default/files/pdf/wage\\_disclosure.pdf](https://dli.mn.gov/sites/default/files/pdf/wage_disclosure.pdf)
- Pregnancy and parenting leave, pregnancy accommodations and nursing mothers – [dli.mn.gov/sites/default/files/pdf/WESA\\_poster.pdf](https://dli.mn.gov/sites/default/files/pdf/WESA_poster.pdf)

Women's Economic Security Act annual report, 2024

- Pregnancy and parenting leave – [dli.mn.gov/sites/default/files/pdf/parental\\_leave.pdf](https://dli.mn.gov/sites/default/files/pdf/parental_leave.pdf)
- Earned sick and safe time as of Jan. 1, 2024 – [dli.mn.gov/sites/default/files/pdf/sick\\_leave.pdf](https://dli.mn.gov/sites/default/files/pdf/sick_leave.pdf)

## WESA 10-year anniversary event

On Monday, May 13, 2024, the day after Mother’s Day, the Minnesota Department of Labor and Industry co-hosted an event to celebrate the 10-year anniversary of WESA. The free event included panels and speakers discussing WESA and its impact on the lives of Minnesota women and their families. The 10-year celebration highlighted significant progress in ensuring fair and equal pay, support for pregnant women and new parents, expansion of unpaid leave, protections for pregnant and lactating employees, retirement security and addressing immediate concerns such as retaliation, discrimination, domestic violence and sexual assault. The event highlighted the multiple improvements to WESA since initial passage in 2014, including earned sick and safe time and the new Paid Leave law.



Celebrating the 10-year anniversary emphasized the importance of continued advocacy for and education on women’s and parents’ rights. The event highlighted that promoting economic security for women and parents reduces economic disparities and improves the overall safety and economic well-being of women in Minnesota.

Visit [dli.mn.gov/WESA](https://dli.mn.gov/WESA) to learn more about this event, the law as it was originally passed and its subsequent improvements.

## DLI referrals

### Minnesota Department of Employment and Economic Development

DLI refers questions related to workforce development to the Department of Employment and Economic Development (DEED). Specifically, DEED administers a WESA grant program to assist women in obtaining employment in high-wage and high-demand occupations.

DLI also refers questions related to unemployment insurance to DEED. Under WESA, employees may be eligible for unemployment benefits if they quit their job because of abuse, sexual assault or stalking.

### Minnesota Department of Human Rights

DLI refers questions related to equal pay certificates to the Minnesota Department of Human Rights (MDHR). Businesses contracting with Minnesota state agencies must have an Equal Pay Certificate issued by MDHR if the contract exceeds \$500,000 and the business has 40 or more full-time employees.

DLI also refers questions related to the Familial Status Protected Class law to MDHR. Under WESA, “familial status” was added to the list of protected classes against whom labor organizations, employers and employment agencies cannot discriminate. Familial status is defined in the Minnesota Human Rights Act as a: (1) parent,

guardian or designee of a parent or guardian who lives with at least one minor; or (2) a person who is pregnant or is in the process of securing legal custody of a minor.<sup>5</sup>

In addition to taking pregnancy accommodation complaints, DLI refers possible cases of pregnancy discrimination directly to MDHR.

## Minnesota Department of Health

DLI refers employers to MDH's Breastfeeding Friendly Workplaces Program, a voluntary recognition program for workplaces that have demonstrated their commitment to supporting breastfeeding mothers by creating a workplace lactation support program. [health.state.mn.us/people/breastfeeding/recognition/index.html](https://health.state.mn.us/people/breastfeeding/recognition/index.html).

## Conclusion

From July 2014 through August 2024, DLI completed 222 investigations of alleged violations of the four WESA provisions within its legal authority. Through continued outreach and engagement about WESA to employers and workers, DLI is committed to raising awareness and helping employers remain or come into compliance with these important workplace protections.

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<sup>5</sup>Minnesota Statutes § 363A.03, subd. 18 ([revisor.mn.gov/statutes/?id=363A.03](https://revisor.mn.gov/statutes/?id=363A.03)).



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