

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 310

(SENATE AUTHORS: DORNINK, Kupec, Hauschild, Draheim and Putnam)

DATE
01/21/2025

D-PG

Introduction and first reading
Referred to Labor

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to employment; modifying the definition of employee for purposes of
1.3 earned sick and safe time; amending Minnesota Statutes 2024, section 181.9445,
1.4 subdivision 5.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 181.9445, subdivision 5, is amended to read:

1.7 Subd. 5. **Employee.** "Employee" means any person who is employed by an employer,
1.8 including temporary and part-time employees, who is anticipated by the employer to perform
1.9 work for at least 80 hours in a year for that employer in Minnesota. Employee does not
1.10 include:

1.11 (1) an independent contractor;

1.12 (2) an individual who is a volunteer firefighter or paid on-call firefighter, with a
1.13 department charged with the prevention or suppression of fires within the boundaries of the
1.14 state; is a volunteer ambulance attendant as defined in section 144E.001, subdivision 15;
1.15 or is an ambulance service personnel as defined in section 144E.001, subdivision 3a, who
1.16 serves in a paid on-call position;

1.17 (3) an individual who is an elected official or a person who is appointed to fill a vacancy
1.18 in an elected office as part of a legislative or governing body of Minnesota or a political
1.19 subdivision; or

1.20 (4) an individual employed by a farmer, family farm, or a family farm corporation to
1.21 provide physical labor on or management of a farm if: (i) the farmer, family farm, or family
1.22 farm corporation employs five or fewer employees; or (ii) the individual is employed by

- 2.1 the farmer, family farm, or family farm corporation to perform work for 28 days or less
- 2.2 each year.