

Earned Sick and Safe Time (ESST) Employee Notice

Effective January 1, 2024, employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. Employees who work at least 80 hours a year 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, or at the employer's discretion have either 80 hours front loaded at the beginning of the designated year, or accrue one day per month in accordance with employee's contract. A year for purposes of the employee's earned sick and safe time accrual is the fiscal year of July 1st through June 30th.

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, must be indicated on the employee's earnings statement that they receive at the end of each pay period. Earned sick and safe time must be 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

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three consecutive days.

If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, the employee should enter their absence in the appropriate system (Absence Management (AESOP) and/or TimeClockPlus) as far in advance as possible, but at least three days in advance. In situations where an employee cannot provide advance notice, the employee should enter their absence in the appropriate system (Absence Management (AESOP) and/or TimeClockPlus) and contact their immediate supervisor as soon as they know they will be unable to work.

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 651-284-5075 or dli.laborstandards@state.mn.us or visit the department's earned sick and safe time webpage at dli.mn.gov/sick-leave.

This document contains important information about your employment. If you would like this notice in a different language please contact human resources at hr@c-ischools.org.