420.00 STAFF: MINNESOTA PAID LEAVE

I. POLICY PURPOSE:

The purpose of this policy is to inform employees of the Saint Paul Public Schools ("District") about their rights and responsibilities under the Minnesota Paid Leave ("MPL") law, effective January 1, 2026. The policy is designed to ensure consistent understanding and administration of MPL benefits, which provide partial wage replacement to eligible employees who take leave for qualifying reasons such as their own serious health condition, family care, bonding, safety leave, or military exigency.

This policy also outlines how MPL interacts with the District's existing leave programs, benefits, and employment practices. It provides guidance on eligibility, notification requirements, coordination with other leave laws, and employee responsibilities before, during, and after leave.

Through this policy, the District seeks to promote compliance with state law, support employees in balancing work and family responsibilities, and maintain operational continuity while fostering a healthy and equitable workplace.

II. GENERAL STATEMENT OF POLICY:

The Minnesota Paid Leave ("MPL") law establishes a state-run insurance program that provides partial wage replacement to eligible employees when they take leave for a qualifying reason. MPL is funded through premiums that are split between employers and employees. Employees can apply for leave from the St. Paul School District (the "District") and paid benefits from the state, as discussed below, and, if approved, the state will pay employees a portion of their usual wages during their leave as MPL benefits. The state, not the District, determines employees' eligibility to receive paid benefits and the amount of paid benefits that employees receive. This Policy provides additional information to employees about MPL, including notification requirements and how MPL interacts with the District's other leave policies and procedures.

The Board designates to the superintendent and their designees the authority to implement this and other leave policies to ensure compliance with state and federal law and all district procedures governing the approval and denial of leaves of absences.

Eligibility: To be eligible for leave under the MPL law, an employee must (a) have earned at least 5.3% of the statewide average annual wage in the past year, and (b) have worked 50% or more of the prior year in Minnesota, or, for employees who did not work 50% or more of the year in any one state, live in Minnesota.

Seasonal employees, as defined below, are not eligible for MPL.

Length of MPL: The benefits that an eligible employee will receive during a leave covered under the MPL law are calculated as follows, up to the maximum weekly benefit amount:

- 90% of wages that do not exceed 50% of the state average weekly wage; plus
- 66% of wages that exceed 50% of the state's average weekly wage but not 100%; plus
- 55% of wages that exceed 100% of the state average weekly wage.

Employees may calculate their estimated MPL benefits using this online calculator, which has been established by the Minnesota Department of Employment and Economic Development's ("DEED") Paid Leave Division.

An eligible employee may take up to 12 weeks of MPL per MPL leave and benefit year (the "MPL year") for their own serious health condition and up to 12 weeks of MPL per MPL year for bonding, safety leave, family care, and qualifying exigency, except that the total amount of MPL cannot exceed more than 20 weeks in a single MPL year.

Employees may take MPL in blocks or intermittently. For leave covered by both the federal Family Medical Leave Act (FMLA) and MPL law, except for bonding leave, intermittent leave may be taken in increments of no less than one hour. For bonding leave, and for MPL family and medical leave not covered by FMLA, intermittent leave may be taken in increments of no less than one calendar day. Leave based on a serious health condition of the employee or a covered family member may be taken intermittently only if such leave is reasonable and appropriate to the needs of the individual with the serious health condition. Employees may take up to no more than 480 hours of intermittent leave in the applicable MPL year.

Qualifying Reasons for MPL Leave: An eligible employee may take MPL leave for the following reasons:

- their own qualifying serious health condition;
- bonding with their child during the first 12 months after the child's birth, adoption or placement;
- providing care for a covered family member with a qualifying serious health condition;
- safety leave because of domestic abuse, sexual assault, or stalking of the employee or employee's covered family member; or

- any qualifying exigency arising from the active-duty service (or notice of an impending call or order to active duty) in the U.S. armed forces of an employee's covered family member.

Except for bonding leave, the period for which an employee is seeking MPL leave must be based on a seven-day qualifying event.

DEFINITIONS:

The following terms are fully defined in either the MPL law (Minn. Stat. ch. 268B) or the Minnesota Department of Employment and Economic Development Administrative Rules Regulating Paid Leave (Minn. R. ch. 3317). For employees' convenience, these definitions are summarized below but the full legal definitions apply to the District's administration of MPL:

A. "**MPL year**" means the period of 52 calendar weeks beginning the effective date of leave under the MPL law. For an effective date of leave that is January 1, April 1, July 1, or October 1, the benefit year is a period of 53 calendar weeks.

B. "**Bonding**" means time spent by an employee who is the biological, adoptive, or foster parent with a biological, adopted, or foster child in connection with the child's birth, adoption, or placement.

C. "**Child**" includes a biological child, adopted child, foster child, stepchild, child of a domestic partner, or child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto custodian.

D. A "**covered family member**" means a spouse or domestic partner, child, parent or legal guardian, sibling, grandchild, grandparent or spouse's grandparent, a son-in-law or daughter-in law, and an individual with whom the employee has a personal relationship that creates an expectation and reliance that the employee care for the individual without compensation, whether or not the employee and individual reside together.

E. "**Grandchild**" means a child of the employee's child.

F. "**Grandparent**" means a parent of the employee's parent.

G. "**Health care provider**" includes an individual who is licensed, certified, or otherwise authorized under law to practice in the individual's scope of practice as a physician, physician assistant, podiatrist, osteopath, surgeon, advanced practice registered nurse, an alcohol and drug counselor, or a mental health professional.

H. "**Incapacity**" means inability to perform regular work, attend school, or perform regular daily activities due to a serious health condition or treatment or recovery from such condition.

I. "**Inpatient care**" means an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity, or any subsequent treatment in connection with such inpatient care.

J. "**Medical care related to pregnancy**" includes prenatal care or incapacity due to pregnancy or recovery from childbirth, stillbirth, miscarriage, or related health conditions.

K. "**Military member**" means a current or former member of the U.S. armed forces, including a member of the National Guard or reserves, who, except for a deceased military member, is a resident of the state and is a covered family member of the employee.

L. "**Qualifying exigency**" means a need arising out of a military member's active duty service or notice of an impending call or order to active duty in the U.S. armed forces, including providing for the care or other needs of the covered family member's child or other dependent, making financial or legal arrangements for the covered family member, attending counseling, attending military events or ceremonies, spending time with the covered family member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of a military member.

M. "**Safety leave**" means leave from work because of domestic abuse, sexual assault, or stalking of the employee or the employee's covered family member, provided the leave is to:

- seek medical attention related to the physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
- obtain services from a victim services organization;
- obtain psychological or other counseling;
- seek relocation due to the domestic abuse, sexual assault, or stalking; or
- seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related, or resulting from, the domestic abuse, sexual assault, or stalking.

N. "**Seasonal employee**" means an individual who is employed for not more than 150 days during any consecutive 52-week period in hospitality by an employer whose average receipts during any six months of the preceding calendar year were not more than 33% percent of its average receipts for the other six months of such year.

O. "**Serious health condition**" means a physical or mental illness, injury, impairment, condition, or substance use disorder that involves:

- inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity; or

- continuing treatment or supervision by a health care provider, which includes any one or more of the following:

    - a period of incapacity of seven or more days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves treatment by a health care provider;

    - a period of incapacity due to medical care related to pregnancy;

    - a period of incapacity or treatment for a chronic health condition that (1) requires periodic visits (at least twice a year) for treatment by a health care provider or under orders of or referral by a health care provider; (2) continues over an extended period of time; and (3) may cause episodic rather than continuing periods of incapacity;

    - a period of permanent or long-term incapacity due to a condition for which treatment may not be effective and for which the individual is under continuing supervision of a health care provider (though may not be receiving active treatment);

    - a period of absence to receive multiple treatments by a health care provider for (1) restorative surgery after an accident or other injury, or (2) a condition that would likely result in a period of incapacity of more than seven calendar days in the absence of medical intervention or treatment.

III. NOTIFICATION REQUIREMENTS:

A. Eligible employees must notify the District in advance of the anticipated timing and duration of MPL leave and the type of MPL to be taken by making a leave request to the Benefits Team through PeopleSoft.

B. If the need for leave is foreseeable, employees must provide the District with at least 30 days' advance notice before the leave is to begin. Foreseeable qualifying events include, for example, an expected birth, placement for adoption or foster care; planned medical treatment for the employee's or covered family member's serious health condition; or other known military exigency. If an employee does not provide at least 30 days advance notice of foreseeable leave, the District may request that the employee explain the reasons why notice was not practicable.

C. If 30 days advance notice is not practicable for reasons such as a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, notice must be given as soon as practicable. As soon as practicable means as soon as both possible and practical, taking into account all of the facts and circumstances in the

individual case. When an employee becomes aware of a qualifying event less than 30 days in advance, it should be practicable for the employee to provide notice of the need for leave either the same day or the next business day that the employee recognizes the need for leave, unless the need for leave is based on a medical emergency.

D. The employee must inform the District as soon as practicable if dates of scheduled leave change or are extended or were initially unknown.

E. When an employee takes intermittent MPL, the employee must provide the District with a schedule of needed workdays off as soon as practicable and must make a reasonable effort to schedule the intermittent leave so as not to unduly disrupt the operations of the District.

F. The District may request certification of the reason for leave from the employee consistent with the MPL law, which the employee must provide as soon as practicable.

IV. STATUS REPORTS:

The employee must periodically update the Benefits Team about the employee's status and intent to return to work. This includes sending updated leave paperwork (in the event that the leave is being extended or if circumstances have changed), a return-to-work statement completed by a physician, and following all applicable guidelines from the Leave of Absence page here: https://www.spps.org/about/departments/human-resources/benefits/leaves-of-absence. Employees should send these communications to benefits@spps.org or call 651-767-8200 with questions.

V. APPLYING FOR MPL BENEFITS:

Employees who wish to submit an application for MPL benefits must first request leave from the District through People Soft and then complete any portion of the MPL paid benefits application form that is designated to be completed by the employee and submit the application for MPL benefits along with any necessary certifications (medical or otherwise) to the state. Employees enrolled in a District short-term disability program are required to submit a claim directly to the program administrator. The District will respond to requests for information about an employee's application for MPL benefits within seven calendar days of the request.

VI. BONDING LEAVE:

A. Eligibility for bonding leave ends 12 months after birth, adoption or foster placement, except that in cases where the child must remain in the hospital longer than the mother, the leave must end within 12 months after the child leaves the hospital.

B. Employees also may use bonding leave before the actual placement or adoption of a child. For example, employees may be required to attend counseling sessions, appear in court, consult with their attorney or the doctor(s) representing the birth parent, submit to a physical examination, or travel to another country to complete an adoption.

VII. DISABILITY BENEFITS, SICK LEAVE, AND "TOP OFF PAYMENTS" AND MPL

A. An employee who is eligible for both disability benefits and MPL may receive disability insurance payments in addition to MPL benefits. Disability insurance benefits may be offset by MPL benefits paid to employees under the terms of the disability insurance plan.

B. An employee who has accrued sick or vacation time and applies for MPL may receive payments using their accrued time to supplement or "top off" their benefits paid by the state. For PML that occurs outside of the employee's regular contract year (such as summer break), the employee will not be allowed to "top off" or supplement their PML. Winter, spring break, or other workshop days are eligible for supplement using accrued time.

C. For Unions Groups with a "Sick Bank" of donated hours by fellow employees, any sick leave bank hours may only be credited if the applicant falls under the provisions within the contract (i.e., FMLA). Sick bank hours shall not be used to extend any leave of absence outside of the PML or FMLA entitlement.

D. The total amount of MPL benefits and vacation and/or sick time will not exceed an employee's usual salary. The use of vacation and/or sick time to supplement MPL benefits does not extend the length of MPL.

E. While awaiting the state's decision on a leave request, employees may choose to "top off" their pay using sick hours, vacation hours, or short-term disability pay. Employees are strongly encouraged to use the estimated pay calculator on the MPL website to determine their "top off" amount. If an employee uses excess sick or vacation hours or short-term disability pay and receives more than their usual salary, the District will not restore the already paid sick or vacation hours and the employee must repay any short-term disability overpayment. The employee is also required to report the overpayment to the state.

VIII. BENEFITS DURING MPL

A. During MPL and/or unpaid FMLA leave, an employee's group insurance policies and health care plans will transition to administrative billing under the COBRA plan. However, the District will continue to pay its portion of the premiums at the same level as if the employee were actively working. As a result, the employee will only be responsible for paying the standard active employee contributions rates. All employee contributions

must be paid on a timely basis directly to the District's third-party administrator ("Benefit Resource, Inc." or "BRI") to maintain continuous coverage. Coverage will terminate if premium payments are not received within thirty-calendar days of the due date. Premium amounts and policy coverages remain subject to standard plan updates and adjustments. Once the employee's entitlement to MPL and/or FMLA leave ends, the employee is no longer protected under these continuation guidelines. If the employee does not return to active status, District contribution towards premiums will cease, and the employee will become responsible for paying the full COBRA rate to maintain coverage.

B. Employees will continue to accrue vacation, and/or sick time only for hours paid by the district. Employees will not accrue vacation and/or sick time for any hours paid by the state. Holidays may only be "topped off" if the employee has elected to "top off" the rest of their PML leave.

C. During PML, if the employee chooses to supplement or "top off" the PML payments with accrued sick or vacation time, pension payments and any union dues will be deducted, along with any applicable taxes. Should the employee supplement with short-term disability payments or choose not to supplement, no pension payments or union dues will be collected, and the employee is responsible for contacting SPTRFA or PERA to purchase any pension credits.

D. During PML, any wage garnishments (i.e., child support, tax levies, etc.) or other required deductions will be taken from the employee paychecks as to the extent of the law. If earnings are below the legal threshold, and deductions cannot be made, it is the responsibility of the employee to contact the appropriate party to make any required payments.

IX. RETURN TO WORK

A. Reinstatement – At the conclusion of the leave of absence, an employee who has been employed by the district for ninety (90) or more days is entitled to be returned to the position the employee held when the leave began, or an equivalent position with equivalent benefits, pay and working conditions, provided that the employee returns to work immediately following such leave. For employees who have not completed 90 days of employment, MPL leave is not job-protected, and the District will determine reinstatement based on the circumstances of the employee's leave, the district's needs and other relevant factors.

B. Early Return – When it is foreseeable, an employee who intends to return to work earlier than anticipated must notify the Benefits Team at least one week prior to the date the employee is able to return. The Benefits Team shall in turn notify the employee's immediate supervisor.

X. FUNDING OF FAMILY MEDICAL LEAVE BENEFITS

In accordance with Minnesota state law, MPL benefits are funded through premiums split between employers and employees. An employee's portion of the premiums will be paid through payroll deductions at a prescribed amount from each eligible employee. The district shall pay 50% of the premium costs, as required by law; employees shall pay the remaining 50%.

XI. COORDINATION WITH OTHER LEAVES

If any employee is eligible for MPL and leave under any other District policy or applicable law, including the federal Family and Medical Leave Act and the Minnesota Pregnancy and Parenting Leave law, the leaves run concurrently unless prohibited by law and employees will be required to follow notice and documentation obligations under such policies or applicable laws in addition to the steps required for MPL.

XII. EMPLOYMENT RESTRICTIONS DURING MPL

A. While on MPL, the employee may not be employed by another employer during the same hours that the employee was normally scheduled to work for the district.

B. While on MPL for an individuals' own serious health condition, working at other positions (such as summer school, curriculum writing, extended day, extended school year, etc.) is not allowed. While on MPL for care of a family member or bonding leave, working of other positions must be approved, in writing, by the employee's supervisor and Human Resources, prior to the start of any such position.

XIII. RETALIATION PROHIBITED

The District will not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against any employee for requesting or obtaining benefits or leave, or for exercising any other right under the MPL law.

XIV. ADDITIONAL INFORMATION

If you have any questions about MPL or how to apply, please contact the Benefit Team or the MPL Contact Center at (651) 556-9999 or 844-556-0444 (toll-free) or by visiting https://mn.gov/deed/paidleave/about/contact-us/.

LEGAL REFERENCES:

Minn. Stat. § 268B (Paid Family and Medical Leave)
Minn. Stat. § 181.941 (Pregnancy and Parenting Leave)
Minn. Stat. § 181.9412 (School Conference and Activities Leave)
Minn. Stat. § 181.9413 (Sick Leave Benefits; Care of Relatives)
Minn. Statutes § 181.9414 (Bone Marrow and Organ Donation Leave)

Federal Family and Medical Leave Act (FMLA), 29 U.S.C. § 2601 et seq.

CROSS REFERENCES: