

# Sick and safe leave

## WHAT IS REQUIRED?

An employer that allows an employee to take time off for their own injury or illness must also allow the employee to take time off:

- to care for an ill or injured minor child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent in the same manner the employer would allow an employee to use the leave for themselves.
- for themselves or a relative (as listed above) to provide or receive assistance because of sexual assault, domestic abuse, stalking or harassment. (M.S. §181.9413).



## WHO IS COVERED?

- employees who have worked for the employer for at least 12 months;
- employees who worked at least half-time during the past 12 months;
- employers that have 21 or more employees at a single site, regardless of where that site is; and
- employers who offer personal sick leave benefits for absence from work due to an employee's illness or injury.



## SICK LEAVE BENEFITS NOT REQUIRED

Employers are not required to provide personal sick leave benefits. However, some employers are required to allow eligible employees to be absent from work under the federal Family Medical Leave Act or provisions of the Minnesota Pregnancy and Parental Leave Law.

## PAID SICK LEAVE/TIME OFF

The law does not require that sick leave be paid. However, if the employer provides paid time off for the illness or injury of the worker, time off for the illness or injury of a family member must also be paid.

## LIMITING TIME OFF

If the employee has more than 160 hours of sick leave available during a 12-month period, the employer may limit the employee's use of the sick leave for the illness or injury of family members other than a minor child to 160 hours.



Labor Standards • 443 Lafayette Road N. • St. Paul, MN 55155  
651-284-5075 • 800-342-5354 • 651-284-5099 (Spanish) • [www.dli.mn.gov](http://www.dli.mn.gov) • [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us)

Notice: This flier is a brief summary of Minnesota law. It is intended as a guide and is not to be considered a substitute for Minnesota Statutes regarding sick and safe leave.