

Basic Leave Entitlement

Minnesota law requires an employer to provide up to twelve weeks of unpaid parental leave to a mother or father upon the birth or adoption of a child when:

- (1) the company employs 21 or more employees at any one site;
- (2) the employee requesting leave has worked at least half time; and
- (3) has been with the company for at least 12 months preceding the request.

What the Employee Should Know

- The leave must begin at a time requested by the employee.
- The employer may adopt reasonable policies governing the timing of requests for leave.
- The leave may begin not more than twelve months after the birth or adoption.
- The leave can be reduced by any period of paid parental or disability leave, but not accrued sick leave, so that total time off does not exceed twelve weeks unless the employer agrees.
- The employee's health insurance through the employer must be continued during the leave. The employee may be asked to pay for this coverage.
- While the employee is pregnant, she may be entitled to any sick leave or disability leave her company may offer for prenatal care or incapacity due to pregnancy, childbirth or related health conditions.
- If an employee takes a parental leave, the employer cannot retaliate against the employee for requesting or taking a leave.

When the Employee Returns to Work

- Employees are entitled to employment in their former position or one with comparable duties, number of hours and pay. They are also entitled to the same benefits and seniority they had before the leave.
- Employees may return to work part time during the leave without forfeiting the right to return to full-time work at the end of the leave.

Other Rights for Working Parents Caring for Sick

If the employee works at least half time, and the employer offers sick leave, the employee is allowed to use accrued sick leave to care for their sick child.

Visiting School and Early Childhood Programs

Every employee is entitled to take up to 16 hours unpaid leave a year to attend their child's school conferences, classroom activities, child care or other early childhood programs. Employees may use vacation time.

Nursing Mothers

An employee must be provided reasonable unpaid break time to express breast milk for her child. Breaks already provided may fulfill this requirement. Employers are not required to provide this time if doing so would seriously disrupt operations. The employer must make reasonable efforts to provide a private area for this purpose, other than a toilet stall.