

Paid Leave Rulemaking Listening Session – Topic Guide

Minnesota's [Paid Leave law](#) and [statute](#) to implement the Family and Medical Benefit Insurance Program (“Paid Leave”) will help covered individuals take time off when they need to care for themselves or their loved ones. The Minnesota Legislature passed Paid Leave into law in 2023 and charged the Minnesota Department of Employment and Economic Development (DEED) with administering the Paid Leave program. Additionally, DEED has authority under this law to adopt rules necessary to carry out the Paid Leave program. Rulemaking in Minnesota follows procedures outlined in the Minnesota Administrative Procedure Act in Minn. Stat. Chap. 14.

During this listening session, we welcome your written or verbal comments on the topics within this discussion guide.

We also welcome your comments through the Office of Administrative Hearings website: [Office of Administrative Hearings Comments On Rules \(granicusideas.com\)](#). Comments received are public and will be available for review at the OAH Rulemaking eComments website.

Small Employer Assistance Grants

Minnesota Statutes, section 268B.29 provides for assistance grants to small employers. Employers with 30 or fewer employees and an average wage of less than or equal to 150 percent of the state’s average wage may apply for these grants. The grants must be used to hire temporary workers or increase wages to other current employees.

Individual grants may be approved for up to \$3,000. The maximum total grant amount per eligible employer is \$6,000 in a calendar year. The department may award a maximum of \$5,000,000 in grants per calendar year.

Potential rule on application process and award criteria

DEED may adopt a rule that requires electronic applications for Small Employer Assistance Grants under Minnesota Statutes, section 268B.29.

DEED may adopt a rule regarding award criteria for Small Employer Assistance Grants under Minnesota Statutes, section 268B.29.

For discussion:

- What should DEED consider in creating criteria to award Small Employer Assistance Grants?
- What should DEED consider if it makes rules regarding a process to apply for and receive Small Employer Assistance Grants?
- What feedback, questions, or concerns do you have on this topic?

Draft rules to define “temporary worker” and “wage-related costs”

Below are draft rules defining terms:

Temporary worker: an individual that an employer hires on a non-permanent basis to substitute for an employee who is on family or medical leave for a period of seven days or more.

Wage-related costs: costs associated with hiring, training, or paying a temporary worker or to train or increase the wages of an existing worker or workers to cover an employee on leave.

For discussion:

- What should DEED consider regarding these draft definitions?
- What feedback, questions, or concerns do you have on this topic?