# Earned Sick and Safe Time Employee Notice

University of Minnesota employees are entitled to earned sick and safe time (ESST), a form of paid time, if they work at least 80 hours in a calendar year in the state of Minnesota, as described in the [Administrative Policy: Minnesota Earned Sick and Safe Time](https://policy.umn.edu/review/earnedsicktime). Under this policy, eligible employees will accrue two minutes of ESST per qualifying hour worked in Minnesota, up to a maximum of 48 hours per calendar year.

ESST hours the employee has available, as well as those that have been used in the most recent pay period, will be indicated on the employee’s earnings statement that they receive at the end of each pay period. ESST 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 the benefit. They may use ESST in the increment of time that the employee can submit for other absences.

ESST can be used for the following reasons:

1. An employee's:
   1. mental or physical illness, injury, or other health condition;
   2. need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
   3. need for preventive medical or health care.
2. An employee’s care of a family member:
   1. with a mental or physical illness, injury, or other health condition;
   2. who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or
   3. who needs preventive medical or health care.
3. An employee’s absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
   1. seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
   2. obtain services from a victim services organization;
   3. obtain psychological or other counseling;
   4. seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
   5. seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
4. The University’s announcement of a closure or reduced operations due to weather or other public emergency, under the [Administrative Policy: Campus and Building Closing,](https://policy.umn.edu/operations/emergencyclosing) if as a consequence of the announcement an employee is unable to work; or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency.
5. An employee's inability to work during a declared public emergency because the employee is:
   1. prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to the public emergency; or
   2. seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to the public emergency, and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis.
6. When health authorities having jurisdiction, or healthcare professionals, determine that the presence of an employee or their family member in the community would jeopardize the health of others, because of the exposure of the employee or their family member to 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 ESST. An employer may also require their employees to provide certain documentation regarding the reason for their use of ESST if they use it for more than three consecutive days.

Employees must follow the attendance policies established by the employer, however, no attendance policy can include the use of ESST as an absence that can result in any adverse action.

## Retaliation, right to file a complaint

It is against the law for an employer to retaliate, or to take negative action, against an employee for using or requesting ESST or otherwise exercising their rights under the law. If an employee believes they have been retaliated against or improperly denied ESST, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for ESST violations.

For more information

Visit the [University's ESST webpage](https://hr.umn.edu/Benefits/Vacations-and-Time/Earned-Sick-and-Safe-Time) for additional information on how hours are earned and accessed, how to submit ESST, and a FAQ answering common questions.

Contact the Minnesota Department of Labor and Industry’s Labor Standards Division at 651-284-5075 or [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us) or visit the department’s earned sick and safe time webpage at [dli.mn.gov/sick-leave](https://www.dli.mn.gov/sick-leave).

This document contains important information about your employment. To receive this information in one of the languages listed below, print out this document, check the box at the left, and give the document to your human resources representative.

