

MINNESOTA

St. Paul Enacts Changes to Paid Sick Leave Ordinance

St. Paul, Minnesota has amended its [Earned Sick and Safe Time Ordinance](#) (ESST) to clarify that employee leave accrues only for hours worked in St. Paul, accrues regardless of the employer's location, and may be used only for hours scheduled to be worked in St. Paul. The changes, enacted Jan. 18, 2023, follow litigation over a similar Minneapolis ordinance. They take effect **Feb. 17, 2023**.

ESST

The ESST requires private employers to provide employees who work within the geographic boundaries of St. Paul with up to 48 hours of paid sick time per year. Leave accrues at the rate of one hour for every 30 hours worked, and employers must allow carryover of up to 80 hours of the leave into the next year.

Background

At the time the ESST was enacted, the validity of a similar Minneapolis law, the Sick and Safe Time Ordinance, was being challenged in court, in part on the claim that the law's application to employers outside Minneapolis violated the extraterritoriality doctrine. On June 10, 2020, the Minnesota Supreme Court [found](#) the Minneapolis law did not violate the doctrine because the ordinance limited accrual and use of leave to hours worked and scheduled within Minneapolis.

The Amendments

The current amendments to the ESST are intended to bring the St. Paul ordinance into alignment with the court ruling, clarifying that leave accrues only for hours worked in St. Paul and can be used only during the time the worker is scheduled to work in St. Paul. The ordinance applies to employers with and without a physical location in the city. The amendments do not change the city's current interpretation of or practice with respect to the ordinance. Additional amendments provide consistency with the city's minimum wage ordinance.

Important Dates

June 10, 2020

Minnesota Supreme Court upholds Minneapolis Sick and Safe Time Ordinance.

Jan. 18, 2023

St. Paul enacts amendments to the ESST Ordinance to align with the court ruling.

Feb. 17, 2023

Amendments take effect.

The amendments are intended to bring the ordinance into compliance with a state Supreme Court ruling.

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