

Earned sick and safe time (ESST)

Effective: Jan. 1, 2024

What is ESST?

ESST is paid leave employers must provide to employees in Minnesota that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault or stalking.

ESST must be paid at the same base rate an employee earns when they are working.

Who is eligible for ESST?

An employee is eligible for ESST if they:

- are anticipated to work at least 80 hours in a year for an employer in Minnesota; and
- are not an independent contractor.

Part-time, seasonal and temporary employees are eligible for ESST.

How do you accrue and use ESST?

- Employees accrue at least one hour of ESST for every 30 hours worked, unless an employer front loads ESST hours as allowed by law.
- ESST begins accruing on the first day of work and employees are allowed to use ESST as it accrues.
- Employers must allow an employee to accrue at least 48 hours of ESST every year and to roll over unused ESST to the next year up to a maximum accrual of at least 80 ESST hours.
- Employers can require documentation from employees when ESST is used for more than three consecutive scheduled workdays.

What can you use ESST for?

ESST can be used for reasons that include:

- the mental or physical illness, treatment or preventive care of an employee or their family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- making funeral arrangements, attending a funeral service or memorial or addressing financial or legal matters that arise after the death of a family member.

Retaliation is against the law.

An employer may not retaliate, or take negative action, against an employee for asserting their legal rights under the ESST law.



Sick time

For mental or physical illness, treatment or preventive care



Safe time

To address domestic abuse, sexual assault or stalking



**DEPARTMENT OF
LABOR AND INDUSTRY**

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Notice: This is a brief summary of Minnesota law. It is intended as a guide and is not to be considered a substitute for related Minnesota Statutes.