



## Talking Points and Background on Mandatory Paid Sick and Safe Time (also called Earned Sick and Safe Time, or ESST)

### General

- Mandating paid sick and safe time offers an unworkable one-size-fits-all approach to myriad sizes and shapes of employers.
  - SPACC is adding that we are opposed to any mandate requiring employers to provide employees with paid sick leave. However, we understand that it is likely the City of Saint Paul will pass some sort of mandate, and we are committed to being engaged, effective participants in the process.

### Saint Paul's Task Force

- Membership of the Task Force is largely a group of reasonable people who can work collaboratively. We appreciate the City's work to put together a Task Force that can tackle the issues effectively, in a process where concerns of all parties can be heard in a respectful and factual manner. That's how we create good policy, and it's something Saint Paul is good at.

### Data

- We must approach this issue from a data-driven perspective. Unfortunately, there isn't a lot of good data available.
- We need the Task Force to create an objective and accurate review of how many employees in Saint Paul actually do not have access to paid sick time.
- Facts must be used to inform the debate. We need appropriate data so that the solution is proportional to the problem.

### Other

- At this point, there's very little to react to. The Task Force continues to meet (find the meeting schedule [here](#)). The final meeting is currently scheduled for May 17.
- We continue to be concerned about the geographic scope of an ordinance and how it would or could be enforced. Minneapolis' Task Force is proposing that its ordinance cover any employee who physically works in the City, and that brings up a lot of questions about employees attending conferences, delivery drivers, or others who might stop briefly in Minneapolis often or just drive through often on their way to other locations.
- Another issue we are watching is whether any employees or employers will be exempt, for instance because of the size of the employer or the number of hours the employee works. The answers will have an impact on the effect of an ordinance.
- We will need clear answers about employers who offer Paid Time Off (combined vacation and sick leave) currently and how that would interact with a mandate.
- Of critical importance: What or who will be the enforcement arm, how will that process work?

### Take Action!

Make your thoughts and concerns about mandatory paid sick and safe time known! [Contact your Saint Paul City Councilmember](#). You may want to contact the Councilmember who represents your home address and your work address, if relevant.



#### State Preemption bill (HF 1241/SF 565)

- At the same time Saint Paul and Minneapolis are considering these mandates, the State Legislature may take up the issue of state preemption.
- House File 1241/Senate File 565 would prohibit a local unit of government from requiring a private employer to provide an employee who is employed within the jurisdiction of the unit: a benefit; a term of employment; a working condition; or an attendance or leave policy.
- If this state bill passes the Legislature (which needs to adjourn by May 23), any City ordinance related to mandatory paid sick and safe leave would be nullified.
- Preemption is the fact that a local unit of government only has authority that has been granted to it by state law, either expressly or impliedly. In some instances, state law expressly authorizes or even directs local regulation. In some instances, state law expressly forbids local regulation. Currently, Minnesota law is not explicit on whether local units of government have authority over attendance or leave policies, and this bill would state explicitly that local units of government do not have authority over attendance or leave policies.

#### Take Action!

Let your legislators (one State Senator and one State Representative) know that you support the state preemption bill. [Find their contact information here.](#) You can contact the legislators who represent your home address and your work address, if relevant.