

# City of Vergas



## MINNESOTA PAID LEAVE POLICY

### Overview

The city provides time off to eligible employees who qualify for Minnesota Paid Leave (MNPL) benefits under Minnesota law. The City of Vergas is a participant in the State of Minnesota's Paid Leave program. MNPL benefits are funded through premium contributions payable to the State of Minnesota. The premium cost will be split between the city and employee as follows:

- The City of Vergas will pay 50% of the required premium, and
- Employees will pay 50% of the premium cost through payroll deductions starting January 1, 2026.

### Eligibility

Eligibility determinations for MNPL benefits are made by the State of Minnesota. Generally, to be eligible for MNPL, you must:

- Work at least 50% of the time from a location in Minnesota, including employees who work from home or spend time in other states occasionally.
- Meet the financial eligibility requirements by having earned over a specific amount of wages as defined by Minnesota law at the time of your requested leave.

### Benefit Amount

An employee's weekly MNPL benefits are calculated and determined by the Minnesota Department of Employment and Economic Development (DEED).

### Leave Entitlement and Usage

The State of Minnesota may approve MNPL leave for the following conditions in a benefit year:

- Up to 12 weeks of medical leave (for yourself) to take care of yourself for a serious health condition, including pregnancy, childbirth, recovery, or surgery.
- Up to 12 weeks of family leave to:
  - Bond with a child through birth, adoption, or foster placement
  - Care for a family member with a serious health condition
  - Support a military family member called to active duty
  - Receive covered types of care for yourself or a family member because of domestic abuse, sexual assault, or stalking

You can take both types of leave in the same year, but you cannot exceed 20 weeks total within a single benefit year. For example, an employee may be entitled to 12 weeks of family leave to bond with a child and another 8

131 East Main Street • P.O. Box 52 • Vergas, Minnesota 56387 • Phone: (218) 302-3996

Website: [www.cityofvergas.com](http://www.cityofvergas.com) • Email: [ilammers@cityofvergas.com](mailto:ilammers@cityofvergas.com)

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The City of Vergas is an equal opportunity Provider and Employer.

weeks of medical leave for their serious health condition. Your benefit year starts the first day you take Paid Leave. There is no waiting period for MNPL if you are granted the benefit.

### **MNPL Intermittent Leave**

Employees may apply for intermittent leave in most cases, provided the leave is reasonable and appropriate to the needs of the individual requiring care.

#### **A. Eligibility**

In addition to the other eligibility requirements under the MN Paid Leave law, employees seeking intermittent leave must have at least eight hours of accumulated leave (unless more than 30 days have lapsed since taking the initial leave).

#### **B. Notice**

In situations where employees seek MNPL on an intermittent basis, employees must make a reasonable effort to provide written notice to the Clerk-Treasurer of the need for intermittent leave *before* applying for MNPL benefits through the State program. As part of the notice, employees must provide the city with the following:

1. Proposed intermittent leave schedule; and
2. A completed certification from a health care provider identifying the leave as necessary and a reasonable estimate of the frequency and duration, and treatment schedule for the leave.

#### **Increments of Leave & Maximum Number of Hours**

Consistent with other forms of leave provided by the city, employees may take intermittent leave in increments of four (4) hours. If eligible for intermittent leave, the city allows a maximum of 480 hours of intermittent leave in any 12-month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MNPL, provided the continuous leave does not exceed the maximum amount of MNPL allowed by law.

### **Definitions**

- Family member includes:
  - Spouse or partner
  - Child (including biological, adopted, step, or foster children, or a child you raise, even if you are not legally related)
  - Parent or person who raised you
  - Sibling
  - Grandchild or grandparent
  - In-laws (including son, daughter, father, or mother)
  - Anyone close to you who depends on you like family, even if not related by blood
- A **serious health condition** means a physical or mental illness, injury, impairment, condition, or substance use disorder. Taking care of yourself for this serious condition may involve evaluation, treatment, inpatient care, recovery, or not being able to perform regular work, attend school, or do regular daily activities. This includes childbirth, conditions related to pregnancy, or surgery.

## **Notice**

Prior to starting a claim with the State, employees should reach out to the Clerk-Treasurer to notify the City of your intention to take leave. If the need is foreseeable, we ask that you provide at least two weeks' notice prior to taking leave. If the leave is not foreseeable, you will still be able to take leave under MNPL, and we ask that you provide as much notice as possible. Employees are required to complete a City MNPL Form informing the City of their intent to take MNPL, which will provide documentation as to how an employee's share of the cost of their elected benefits (medical, dental, vision, etc.) will be paid by the employee

## **How to Apply for Minnesota Paid Leave**

After your leave has been discussed with the City and all appropriate City forms have been completed, you may apply for MNPL through the Minnesota Paid Leave's portal online or via their phone number provided. <https://mn.gov/deed/paidleave/employees/faq/>

## **Interaction with Other Laws and Benefits**

MNPL will run concurrently with any leave and/or wage supplement for which you may be eligible for under local, state, or federal law, which may include: Family and Medical Leave Act (FMLA)

The city offers a short-term disability (STD) policy that may run concurrently and require its own filing requirement pursuant to the terms of the STD policy. Please see the Clerk-Treasurer for more information. STD payments may be reduced, pursuant to the terms of the STD policy, as a result of receiving state-paid benefits.

## **Effect on other paid leave**

Employees cannot receive MNPL while also receiving some other types of benefits. These include:

- Unemployment Insurance Payments
- Workers' Compensation (in most circumstances)
  - If an employee receives workers' compensation benefits that are equal to or greater than the MNPL benefit, that employee is not eligible for MNPL.
  - If workers' compensation benefits are less than MNPL benefits, then the MNPL benefits will be deducted by the amount the employee receives from workers' comp.
- Social Security Disability Insurance (SSDI) benefits (in most circumstances)
  - Employees who have filed or received SSDI benefits are ineligible to receive MNPL benefits unless the Social Security Administration approved; they could collect SSDI while also being employed during the base period.

Questions related to this section should be directed to the Department of Employment and Economic Development, Minnesota Paid Family Medical Leave at [mn.gov/DEED](http://mn.gov/DEED) or 651-556-7777.

## **Supplementing MNPL Benefits with Accrued Paid Leave**

If you are receiving MNPL benefits, the city allows you to supplement, or "top off," your MNPL benefits with any accrued but unused paid leave. If you choose to supplement your MNPL benefits in this way, the combined weekly sum of MNPL benefits and city-provided paid leave benefits cannot exceed your Individual Average Weekly Wage (IAWW). For more information, contact the Clerk-Treasurer.

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## **Maintaining Health/Benefit Coverage During Leave**

Unless the employee revokes coverage while on MNPL, the city will continue to provide group health insurance coverage for an employee on MNPL under the same conditions as the coverage was provided before the employee took leave. You must continue to make timely payments of your share of the premiums for such coverage. You will be responsible for remitting your portion of benefit premiums to the city in order to ensure continuation of benefits.

Group health insurance may be cancelled if an employee's premium payment is 30 days late. Before terminating coverage, the city will provide written notice to the employee at least 15 days before the coverage is terminated, listing the final date payment is due (30 days past the due date) to avoid cancellation, and the date coverage will end if payment is not received.

An employee's share of premium payments for their group health insurance coverage may, at the employee's option, be:

1. Prepaid at or before the start of the leave in which your health deductions may be modified to accept the agreed-upon amounts and cadence (frequency) of premium deductions;
2. Arrange to write a check every 2 weeks for the duration that the employee may be out.

Coverage that lapses due to nonpayment of premiums will be reinstated immediately upon return to work without a waiting period.

## **Reinstatement**

Upon return from covered MNPL, you will be reinstated to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority credit as of the date of leave as long as you have worked for the city for a minimum of 90 calendar days.

Upon return to work, if it becomes evident that the employee is unable to perform the key essential functions of their position (with or without reasonable accommodation), the city may engage in an interactive process, consistent with the American with Disability Act (ADA) and/or Minnesota Human Rights Act (MHRA) and other applicable workplace policies, including workplace safety protocols, to determine appropriate next steps.

## **Retaliation**

The city will not interfere with or retaliate against employees who request or take leave in accordance with the MN Paid Leave law.