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Paid Leave Program

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What is the Paid Leave Program?

- » New benefits program
- » Administered by the Minnesota Department of Employment and Economic Development (DEED), not Minnesota State
- » 12 weeks available for medical leave: own health condition
- » 12 weeks available for family leave: Caring/Bonding/Safety/Military Support
- » 20 weeks maximum in year if take both medical leave and family leave
- » Requires at least a 7-day absence (except for bonding)

Who Qualifies?

- » Most employees, including PT workers and student workers, can qualify
- » Must have made 5.3% average state salary (about \$3900/year)
- » Work in Minnesota in a year at least half of the year or live in Minnesota and not work in any state more than 50% of year

When does this start?

- » January 1, 2026
- » If qualified, can take leave immediately
- » Benefit year starts when commence leave
- » Deductions from pay checks start too

MPL's Impact on Minnesota State

Minnesota State:

- » Budgets
- » Systems (Workday/eServices)
- » Increased complexity for payroll, HR offices, and supervisors in all areas

Employees:

- » Student workers eligible for MPL benefits
- » Employee premiums
- » Up to 20 weeks total of leave in a 12-month period

How Employees Request MPL Leave

- » Employees must notify their agency before applying for MPL benefits
 - Requests can be made orally or in writing to the employer
 - Employees are responsible for providing required certification/documentation
 - Notice to the employer – Must apply 30 days in advance for foreseeable leaves, or as soon as practicable
- » Apply to DEED; must include certification to support application
- » Paid leave administrators will be notified via email when action is required in the Paid Leave Portal (i.e., applications)

Information Employees Must Provide

- » Qualifying event details (medical, family, bonding, safety)
- » Expected start and end dates of leave
- » Required certification/documentation listed in the MPL law (e.g., determination of eligibility from the MPL program, etc.)
- » Any schedule for intermittent leave if applicable
- » Whether they will be supplementing with accrued leave

Employer Certification Process

- » Issue Tennessen Warning and Consent to Release Info to DEED.
- » Request documentation: MPL or FMLA certification forms.
- » Provisionally grant MPL leave pending certification.
- » Designate MPL leave and notify employee in writing.
- » Agency must respond within 7 calendar days and track requests in the Paid Leave Portal.

How does one collect?

- » Apply to DEED; must include certification to support application
- » DEED notifies employer and employee if the request is approved
- » DEED may take up to 2 weeks to make the determination
- » **Partial** wage replacement: percentage higher for lower income workers
- » Wage replacement is paid directly to the employee by DEED
- » Supplemental benefits are paid by the employer

Supplementation

- » Employees will be allowed to supplement their partial Minnesota Paid Leave wage replacement benefits with accrued sick time, accrued annual leave time, and Paid Parental Leave, as applicable under the collective bargaining agreement.
- » Employees are **never** permitted to receive more than their regular wage or salary when making use of the Paid Leave program in combination with other leave or when being paid for hours worked

Supplementation & Avoiding Overpayments

- » MPL benefits combined with supplemental leave accrual can not exceed 100% of regular wage.
- » Employees are not required to take MPL benefit payments, or supplement.

Tips to avoid overpayments:

1. Confirm weekly MPL benefit payment amounts
2. Use DEED and/or MMB calculator for estimated amounts
3. Communicate clearly with employees about limits

Supplementation (cont.)

- » Employees who supplement their MPL benefit payments:
 - Insurance deductions will be taken from their paycheck
 - Continue to accrue leave in accordance with the applicable CBA for paid leave hours used to supplement (e.g., vacation, sick, etc.)
- » Employees who do NOT supplement their MPL benefits
 - Will be direct billed for the employee portion of insurance
 - Will not accrue leave (in accordance with the applicable CBA)
- » NOTE: STD benefit payments will not be reduced when the employee uses MPL (subject to change)

Definitions and Details

- » “Family member” **very broad** includes:
- » Spouse/domestic partner
- » Children, including foster children, when applicant is legal guardian
- » Parents/sibling/grandchild/grandparent (inc. of spouse)
- » Son-in-law, daughter-in-law
- » “an individual who has a personal relationship with the applicant that creates an expectation and reliance that the applicant care for the individual without compensation, whether or not the applicant and the individual reside together”

Definitions and Details (2)

- » “Safety leave” is leave due to domestic abuse, sexual assault, or stalking of the applicant or their family member when to (1) seek medical including psychological attention; (2) obtain services from a victim services organization; (3) obtain psychological or other counseling; (4) seek relocation; or (5) seek legal advice or take legal action.
- » Military’s “qualifying exigency” concerns caring for the needs of family members or dependents of an individual called to active duty or notice thereof, including spending time with the family member during a rest and recuperation leave or following a return from deployment.

Employee Protections

- » **Insurance:** Employer maintains employee's insurance coverage while on Paid Leave; employee continues to pay their share of the cost of those benefits.
- » **Job reinstatement:** Employee returns to same position or equivalent one. Virtually identical in terms of pay benefits and working conditions. Entitled to pay increases which occurred during leave. Applies 90 days after hire.
- » **Job reinstatement limitations:** Employer can show employee would not have been employed at times seeks reinstatement. Employer has burden to show any lay off during leave was justified.
- » **Waiver of Rights:** Only allowed as part of a settlement or separation agreement. Requires 15-day rescission period unless settlement in connection with a claim at administrative agency or judicial body.

Intermittent Leave

- » Available under the program
- » Still required to meet seven-day qualifying event (except bonding), though those days need not be consecutive for intermittent leave
- » Leave taken in increments consistent with other leave granted by employer, not more than one calendar day
- » Certification must include estimate of frequency of the duration and treatment schedule, if applicable
- » Employee shall provide employer with needed workdays off as soon as practicable and make a reasonable effort not to unduly disrupt operations of employer
- » Employer can limit intermittent leave to 480 hours in any 12-month period

Overpayments and Prohibited Misconduct

- » Overpayments made to employee **must be repaid**.
- » **Criminal theft** for applicant to obtain, attempt to obtain, or aid and abet another to obtain benefits under the program through intentional false statement or representation, by intentional concealment of material fact, or by impersonation or other fraudulent means.
- » Employer and its employees engage in misconduct if they collude with applicant to fraudulently obtain benefits.

Interplay with other leaves

- » Paid Leave may run concurrently with FMLA and Minnesota Pregnancy and Parenting Act when leave is for same purpose
- » Earned Sick and Safe Time (ESST) is different (though can be some overlap) because no 7-day requirement; covers matters such as weather closures and bereavement leave; paid for by employer

FMLA

- » Paid Leave covers more situations than FMLA, some leave that qualifies for MPL may not qualify for FMLA.
- » FMLA runs concurrently with MPL
 - Employees will enter the appropriate FMLA earn code(s) in addition to the appropriate MPL earn code on their timesheet
- » FMLA Certification is sufficient documentation to certify MPL eligibility

FMLA vs. MPL

Minnesota Paid Leave (MPL)	FMLA
Spouse or domestic partner	Spouse
Child	Child
Parent or spouse's parent	Parent
Sibling	N/A
Grandchild	N/A
Grandparent or spouse's grandparent	N/A
Son-in-law or daughter-in-law	N/A
Personal relationship with the employee that creates an expectation of care without compensation	N/A

Sick Leave/Earned Safe and Sick Time (ESST)

- » MMB Policy Update: Employees no longer required to use and exhaust sick leave while on FMLA for sick qualifying reasons
- » Employees may supplement MPL benefit payments with sick leave
- » ESST differs from MPL:
 - ESST is employer-provided (i.e., paid by the employer, rather than DEED)
 - ESST is accrual based
 - ESST may be used when absences are anticipated to last less than 7 days (i.e., day-to-day absences)

PPL/MN Parenting and Pregnancy Leave

- » FMLA and MN Parenting and Pregnancy (both unpaid leaves) run concurrently with the use of MPL that also qualifies for these leave types
- » MPL provides benefit payments, whereas Parenting and Pregnancy Leave does not

Earn Codes

- » Earn Codes are used to track MPL Leave usage
 - Unpaid codes
 - Does not accrue leave hours when used
- » PFM – MN Paid Leave – Medical Leave
 - Used for the employee's own serious health/pregnancy related condition
- » PFF MN Paid Leave – Family Leave
 - Used for absences related to other types of leave (e.g., caring, safety, bonding, etc.)

Resources

- » [Common-Questions](#) – MN Paid Leave website
- » [MMB Policies](#)
- » [MN Paid Leave Calculator](#)
- » [Comparison of ESST and MPL](#)

Questions and Answers

» Please chat in your questions.

Please Take Our Survey

A link to the survey is in the chat. Please provide your feedback.

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Thank you.



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