

STATE OF MINNESOTA

LEGISLATIVE COORDINATING COMMISSION

LEGISLATIVE PLAN

FOR

EMPLOYEE BENEFITS

AND POLICIES

Calendar year ~~2024-25~~2026-27

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APPLICABILITY

The Legislative Plan for Employee Benefits (the Plan) applies to members and unclassified employees of the Legislature as provided in this section.

The provisions of the Plan relating to insurance apply to members of the Legislature and to unclassified employees of the Senate, the House of Representatives, and offices under the supervision of the Legislative Coordinating Commission, namely:

Legislative Coordinating Commission	Legislative Commission on Pensions and Retirement
Legislative Reference Library	Legislative-Citizen Commission on Minnesota Resources
Office of the Revisor of Statutes	Legislative Energy Commission
Office of the Legislative Auditor	Lessard-Sams Outdoor Heritage Council
Legislative Budget Office	

Provisions of the Plan relating to vacation leave, sick leave, and severance may apply to unclassified employees of the Senate, the House of Representatives, and offices under the supervision of the Legislative Coordinating Commission.

The Senate Committee on Rules and Administration may apply the provisions of the Plan relating to deferred compensation to members of the Senate. The House Committee on Rules and Legislative Administration may apply the provisions of the Plan relating to deferred compensation to members of the House of Representatives.

The remaining provisions of the Plan apply to unclassified employees of the Senate, the House of Representatives, and offices under the supervision of the Legislative Coordinating Commission when adopted by their respective appointing authorities.

The Plan governs the employees of any legislative commission, task force, or board created after its adoption or contained in statutes.

All employees covered under this section ~~APPLICABILITY~~ serve at the pleasure of their employer in the state unclassified service, except for the Legislative Auditor and Director of the Legislative Budget Office, each of which are appointed to six-year terms. The term “regular employee” refers to an employee hired without a limit on the duration of the employment and does not constitute a promise of permanent employment. Each employee covered by this Plan is an “at-will” employee and has a right to terminate the employee’s employment at any time for any reason. Likewise, each respective appointing authority has a similar right to terminate the employment of any employee at any time, except for the appointed positions of the Legislative Auditor and Director of the Legislative Budget Office, who may only be removed from office for cause after a public hearing is conducted.

This Plan is designed to provide covered employees with a summary of certain policies and benefits and is not intended to create, nor is it construed to constitute, a contract with any employee or employees.

APPOINTING AUTHORITY: DEFINITION

For purposes of this Plan, “appointing authority” means the House Rules and Legislative Administration Committee for employees of the House of Representatives, the Senate Rules and Administration Committee for employees of the Senate, and the Legislative Coordinating Commission for the unclassified employees of joint ~~offices~~~~commissions~~ and ~~commissions~~~~offices~~. The appointing authority may delegate certain authorities and responsibilities of this Plan to appropriate members and staff.

*As a legislative employee, will I be required to file a **statement of economic interest**?*

The Minnesota Public Disclosure Law affects certain legislative employees. The term "[public official](#)" in the law includes the following legislative staff positions: Chief Clerk of the House, Legislative Auditor, Legislative Budget Office Director, House Research researchers and attorneys, fiscal analysts in the House Fiscal Analysis Department, Revisor of Statutes, Secretary of the Senate, ~~and~~ legislative analysts, fiscal analysts and attorneys in the Office of Senate Counsel, Research, and Fiscal Analysis. Further information on the Minnesota Public Disclosure Law may be obtained from the:

***Minnesota Campaign Finance and Public Disclosure Board
1st Floor South
Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
or at their Web site: <https://cfb.mn.gov/>***

EFFECTIVE DATE AND DURATION

Once adopted, except as otherwise specifically provided by the appointing authority, this Plan is effective January 1, 2024⁴⁶. It remains in effect until amended or repealed by the Legislative Coordinating Commission or the appropriate appointing authority (see the section on Applicability) or until superseded by law.

LEGISLATIVE POLICIES

Immigration Reform and Control Act

Under the Immigration Reform and Control Act enacted on November 6, 1986, employers are required to verify that all new employees are either United States citizens or aliens authorized to work in the United States. Consistent with this law, employment in the Minnesota Legislature ~~is~~^{will be} contingent upon completion of an I-9 form and providing the necessary documents of citizenship and work authorization within three business days of beginning employment. Employees are required to complete the recertification section whenever their legal name changes. Employees should contact their human resources or payroll representative for this form.

*Since I was born in this country, why would I have to sign an **I-9 form** under the Immigration and Control Act?*

The federal law allows for no exemptions--all new employees hired after November 6, 1986 must fill out an I-9 form.

Background on the I-9 form is available from the U.S. Bureau of Citizenship and Immigration Services, at: <http://www.uscis.gov/i-9>

Policy Against Harassment and Discrimination

The Minnesota Legislature is committed to creating and maintaining a work environment in which all members and employees are treated with respect and are free from unlawful harassment or discrimination. Harassment and discrimination by a member or employee of the Senate, the House of Representatives, or the Legislative Coordinating Commission is prohibited.

To this end, each appointing authority has adopted a policy to eliminate discriminatory and harassing behavior in the workplace based on race; color; national origin; sex; pregnancy; gender identity; marital status; sexual orientation; age; disability; status concerning public assistance; and membership or activity in a human rights commission. Copies of the discrimination policy may be obtained from the appropriate Senate, House or LCC offices.

LEGISLATIVE POLICIES (continued)

Statement of Zero Tolerance of Violence

Consistent with Minnesota Statutes § [15.86](#), the Legislature endorses a policy of zero tolerance of violence.

Equal Employment Opportunity

The Minnesota Legislature is an equal opportunity employer and is committed to conducting its personnel activities without regard to race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, familial status, gender identity, or sexual orientation, as those terms are defined in Minnesota Statutes § [363A.03](#). Further information regarding equal employment opportunities and specific procedures governing incidents of ~~sexual~~ harassment may be obtained from the appropriate House, Senate, or LCC Human Resources Office.

Americans with Disabilities Act (ADA) – Title I (Employment)

The Minnesota Legislature is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA), as amended, and the Minnesota Human Rights Act (MHRA) and supports the goal that individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service, activity or employment offered by the Legislature.

Discrimination on the basis of disability in employment is prohibited under Title I of the ADA, and the related regulations of the U.S. Equal Employment Opportunity Commission, and also under § [363A.08](#) and the applicable provisions of the MHRA, Minnesota Statutes, chapter 363A. The Legislature does not discriminate on the basis of disability in its hiring and employment practices, and it is the responsibility of legislators and legislative employees and staff to support the goals, objectives and concept of the ADA and the MHRA in their dealings with the public, prospective employees and co-workers.

Where can an employee find more information?

Background on the ADA, accessibility and employment-related information for the House, Senate and LCC can be found on the Minnesota Legislature's website's [Accessibility page](#): ~~<https://www.leg.mn.gov/leg/faq/faq?subject=19>~~ and on the respective employment opportunities or employee intranet pages for the House, Senate, or LCC.

How can an employee request a reasonable accommodation?

Employees who wish to request a reasonable accommodation may contact the appropriate Human Resources Office, in the House, Senate or LCC at any time to begin the interactive process and to discuss potential accommodations that may be available. An employee's Human Resources Office or Human Resources designee may request supporting documentation, including information from the employee's medical provider, to determine whether and what type of accommodation may be needed for a qualified employee's disability.

LEGISLATIVE POLICIES (continued)

Each appointing authority may establish specific processes for implementing the employment provisions of the ADA and MHRA. More information can be found on the respective employment opportunities or employee intranet pages for the House, Senate, or LCC.

House intranet and Employment Opportunities:

<https://www.house.mn.gov/has/employment.asp>

Senate intranet and Senate Employment Opportunities:

<https://minnesota-senate.breezy.hr/https://www.senate.mn/jobs>

LCC intranet and LCC Employment Opportunities:

<https://www.lcc.mn.gov/jobs/>

Life and Wellbeing Program

The Life and Wellbeing Program includes a confidential counseling service designed to help state employees with problems, either in or out of the workplace. Employees who do not care to discuss personal or work-related problems with anyone associated with the Legislature may contact the Life and Wellbeing Program work.well.mmb@state.mn.us or visit their Website at: <https://mn.gov/mmb/segip/life-and-well-being/>

~~Pregnancy Accommodation~~

~~The Minnesota Legislature provides reasonable accommodations to an employee for health conditions related to pregnancy or childbirth if requested, unless the accommodation would impose an undue hardship on the operations of the Legislature. In some circumstances, accommodations or leave may be provided for an employee with the advice of a licensed health care provider or certified doula. The employee's Human Resources Office or Human Resources Designee may require reasonable documentation from the employee's medical practitioner for this purpose.~~

~~Accommodations for a pregnant employee may include, but are not limited to, more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation.~~

~~During a qualified period of pregnancy or childbirth-related leave under this section, the employer contribution of health insurance must continue to be paid for an eligible employee, as stated in Minnesota Statutes § 181.939, subdivision 2. The employee remains responsible for paying any part of the insurance premium that would regularly be deducted from their pay.~~

~~Consult with your Human Resources Office or Human Resources Designee about your needs.~~

~~For more detailed information on this state law, see Minnesota Statutes § 181.939.~~

LEGISLATIVE POLICIES (continued)

Lactation Room

Lactation rooms are available for employee use for the purposes of lactation and nursing children during the employee's working hours and are located in the Capitol, Minnesota Senate Building and the Centennial Office Building. Time used by employees for the purposes of lactation ~~does will~~ not reduce their compensation as stated in Minnesota Statutes [181.939](#). The lactation room in the Capitol is in Room 104A (first floor). In the Minnesota Senate Building, the lactation rooms are G007 and G008, on the ground floor near the Sergeant-~~aat~~-Arms office and elevators. The room in the Centennial Office Building is located on the ground floor in the tunnel. Contact the House Sergeant-~~aAt~~-Arms staff at the front desk or on the third floor of the Centennial Office building, or the LCC Fiscal Services Office to have key card access added. An electrical outlet is provided in each room.

Wage Disclosure

~~Salaries for all legislative employees are public information.~~ In accordance with the wage disclosure protection law under Minnesota Statutes § [181.172](#), an employee is permitted to disclose the employee's wages and ~~must may~~ not be required to sign a waiver or other document denying the employee the right to disclose the employee's wages. The Legislature ~~must will~~ not take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages ~~that which~~ have been disclosed voluntarily.

An employee may bring a civil action for a wage disclosure protection violation. A court finding a violation of the wage disclosure protection law may order reinstatement, back pay, restoration of lost service credit, and the expungement of any related adverse records of the employee who was subject to the violation.

The Legislature ~~must will~~ not retaliate against an employee for asserting the rights or remedies provided under the wage disclosure protection law.

Appointing authorities ~~must will~~ provide each employee with a written notice containing the information required under Minnesota Statutes § [181.032](#). ~~The Such~~ notice ~~must will~~ be provided to employees at the start of employment. When subsequent changes are made to the information contained in the notice, notice ~~must will~~ be provided to employees in writing prior to the change taking effect.

Workplace Safety and Security

State buildings on the Capitol Complex are public and symbolic locations with inherent and unique safety and security challenges. Creating a safe and secure environment is the shared responsibility of all legislative agencies, officials, employees, visitors, and the Department of Public Safety.

Employees should familiarize themselves with building emergency response manuals and practice good situational awareness. Employees are encouraged to add the phone numbers listed below to their cell phone contacts so they are readily accessible.

LEGISLATIVE POLICIES (continued)

Promptly report any and all concerning activities to the State Patrol/Capitol Security. The House and Senate each have a Sergeant at Arms who works in collaboration with the State Patrol/Capitol Security to support a safe and secure environment; contact their offices with non-emergency questions and concerns.

Contact Information:

State Patrol/Capitol Security
G-27 Administration Building
651.296.2100 (24 Hour Emergency)
651.296.6741 (Non-emergency)

Saint Paul Police and Fire
911

House Sergeant at Arms
3rd Floor SW Centennial Office Building
651.296.4860

Senate Sergeant at Arms
G430 Minnesota Senate Building
651.296.1119

Employees are encouraged to sign up for emergency messaging available through Capitol Security by registering at <https://member.everbridge.net/453003085617343/login>.

*If I am working late and would like
an escort to my car, what should I
do?*

*Call Capitol Security at
651.296.6741, and a security escort
will walk with you to your car.*

Emergencies

In the event of:

NON-MEDICAL EMERGENCY: Call Capitol Security at 651.296.2100.

MEDICAL EMERGENCY: Call 911 or go to the nearest emergency facility. Also, call Capitol Security at 651.296.2100. Report the injury or incident to your supervisor as soon as possible.

INJURY THAT IS NOT AN EMERGENCY: Call the Workers' Compensation Certified Managed Care line at 651.296.6521 to report the injury, receive first aid instructions, and get a referral to a

LEGISLATIVE POLICIES (continued)

doctor (network provider) who will see you promptly. Report the injury to your supervisor, who will work with your Human Resources Office to complete a "First Report of Injury."

In certain situations, you are allowed to see a non-network provider. For further information on Workers' Compensation, contact your Human Resources Office. The Department of Labor and Industry also provides "An Employees Guide to the Minnesota Workers Compensation System," at: <http://www.dli.mn.gov/business/workers-compensation/work-comp-employee-guide-minnesotas-workers-compensation-system>

For more information on ~~House~~Legislative Emergency Procedures ~~security provisions~~, visit:
<https://www.house.mn.gov/dflpdf/ISMxxJICcEul9rRbN3tkYg.pdf>

WORKING HOURS AND COMPENSATION

Working Hours

The working hours of employees ~~must~~shall be set by the appointing authority as necessary to accomplish all assigned work. Appointing authorities schedule employees' workdays and establish shifts to complete work. All exempt employees are paid a salary to accomplish all available work and not for a set number of working hours each day, week, month, or year. Working hours in excess of a 40-hour week are to be expected; however, each appointing authority may establish compensatory time policies for its exempt and non-exempt employees as applicable. Compensatory time provided to non-exempt employees must comply with the requirements provided in Minnesota Statutes § [177.25](#). As required by the federal Fair Labor Standards Act Amendments of 1985, certain employees of the Legislative Reference Library are allowed additional compensation or compensatory time off.

Each appointing authority may, at their discretion, develop policies that outline the circumstances under which employees may be permitted to telework. The ability to telework is not a guaranteed benefit and may be suspended.

Public Service Outside the Legislature

Employees who hold appointed or elected public positions outside the Legislature are ~~nevertheless~~ expected to accomplish all assigned work and ~~must~~may not receive compensation from any political subdivision of the state or any administrative board, commission, council, committee or task force if their activities occur during normal working hours for which they are also compensated by the Legislature.

Service Award Program

The appointing authority shall formally recognize the service of its employees at regular intervals, in accordance with IRS regulations.

HOLIDAYS

Observed Holidays

The following days are observed as holidays:

- New Year's Day
- Martin Luther King Day
- Legislative Break Day (the Friday before the conclusion of the legislative break)*
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Veterans Day (November 11th)
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Any holiday falling on a Saturday ~~must~~^{will} be observed on the prior Friday. Any holiday falling on a Sunday ~~must~~^{will} be observed on the succeeding Monday.

** Legislative leadership will determine the date of the Legislative Break Day if there is more than one legislative break scheduled during an individual session year.*

The appointing authority may have a procedure for allowing additional periods of time as paid holiday time for the employees serving under its jurisdiction.

Floating Holidays

Regular employees and temporary employees with at least six months of employment shall receive two floating holidays each calendar year. An employee who works any part of the first half of the calendar year in a vacation eligible status accrues one floating holiday. An employee who works any part of the second half of the calendar year in a vacation eligible status accrues one floating holiday. Floating holidays may be accumulated, but any floating holiday not used by the end of the calendar year is lost. An employee may receive no more than two floating holidays each calendar year, including any floating holidays taken from a previous position in state service.

When taking a floating holiday, the entire eight hours must be used on one workday. Employees eligible to receive floating holidays who work six or more continuous months, leave a legislative payroll, and then are re-employed within five years of their separation, shall receive two floating holidays each calendar year. If the employee enters into a post-retirement option (PRO) agreement under Minnesota Statutes § [43A.346](#), the employee's eligibility for floating holidays is at the discretion of the appointing authority.

The floating holiday accrued in the first half of the calendar year may be taken at any time during that calendar year. The floating holiday accrued in the second half of the calendar year must be

HOLIDAYS (continued)

taken by the end of that calendar year. Floating holidays ~~are not~~will not be paid in cash if an employee leaves legislative service.

The appointing authority may limit the number of employees who use floating holidays on any given day because of operational needs.

Holiday Pay

Full-time employees ~~must~~will be paid for observed holidays if they are on a paid status the day before and the day after the holiday. Employees who are taking time off without pay in accordance with an approved salary savings plan are also eligible for holiday pay and will be paid in accordance with the provisions of the plan.

Employees who work less than full-time ~~must~~will be paid for observed holidays if they are on a paid status that is consistent with their work schedule on the scheduled day and hours before and the scheduled day and hours after the holiday. An employee who normally works less than full-time is paid for a holiday in accordance with the appointing authority's policy.

The number of hours paid for any observed holiday shall not exceed eight hours per day. If an employee is required to work on an observed holiday, the employee shall receive time off equal to that worked, not to exceed eight hours per day. Worked holiday hours must be used no later than the end of the calendar year following the year in which the worked holiday hours are earned. In the event that an employee dies on a holiday or holiday weekend, the employee shall be entitled to be paid for the holiday(s).

Religious Holidays

When a religious holiday not observed as a holiday as provided ~~in the Plan~~above falls on an employee's regularly scheduled workday, the employee may take that day off to observe the religious holiday. An employee who chooses to observe a religious holiday must notify the employee's supervisor prior to the religious holiday.

Time off to observe religious holidays is mandatory and ~~are~~ without pay except where the employee has sufficient accumulated vacation leave, compensatory time, alternate holiday, or an unused floating holiday. The employee may work an equivalent number of hours or days at some other time during the fiscal year to compensate for any hours or days lost.

VACATION LEAVE

Eligibility and Allowances

All regular employees shall accrue vacation time based on length of service. Temporary full-time employees begin to accrue vacation leave after six months of continuous employment with no break in service. Employees eligible to accrue vacation leave, who leave a legislative payroll, and then are re-employed within five years of their separation, as a temporary employee, are eligible to accrue vacation leave at the appropriate level. If the employee enters into a post-retirement option (PRO) agreement under Minnesota Statutes § [43A.346](#), the employee's eligibility for vacation leave is at the discretion of the appointing authority. For each length of service noted below the change in accrual rate begins one day after the anniversary date of employment (i.e. at 5 years and one day, etc.).

Accrual rate for full-time employees

<u>Length of Service</u>	<u>26 Pay Periods</u>	<u>24 Pay Periods</u>
0 through to 5 years	5 hours	5.4 hours
5 to through 8 years—	6 hours	6.5 hours
After 8 to through 12 years	7 hours	7.6 hours
After 12 to through 18 years	7.5 hours	8.1 hours
After 18 to through 25 years	8 hours	8.67 hours
After 25 to through 30 years	8.5 hours	9.2 hours
After 30 to through 35 years	9 hours	9.75 hours
After 35 to through 40 years	9.5 hours	10.3 hours
After 40 years	10 hours	10.8 hours

Changes in accrual rates are effective at the beginning of the next payroll period following completion of the specified length of service requirement.

Vacation leave hours shall not be used during the payroll periods in which the hours are accrued.

Eligible employees working on a percentage basis shall have their vacation accruals prorated consistent with the percentage of time paid. Eligible employees shall not receive additional vacation accrual for time worked in excess of their appointed schedule.

For purposes of determining changes in an employee's accrual rate, length of service does not include periods of suspension or unpaid non-medical leaves of absence; however, salary savings leaves are counted toward an employee's length of service. Temporary employees will receive length of service credit only for pay periods in which they are on a paid status. A regular employee working on a percentage basis who is on paid status at any time within a payroll period shall receive length of service credit for the full payroll period, except for the payroll period during which the employee's employment begins and the payroll period during which the employee's

VACATION LEAVE (continued)

employment ends. A regular employee working on a percentage basis that is appointed by the LCC to an intermittent schedule and is scheduled to work at least 1044 hours a year ~~must~~will receive annualized length of service.

Temporary, session, or intermittent service prior to regular status is counted in determining accrual rate.

~~Changes in accrual rates are effective at the beginning of the next payroll period following completion of the specified length of service requirement.~~

~~Vacation leave hours shall not be used during the payroll periods in which the hours are accrued.~~

Vacation Leave Bank Upon Initial Employment

Upon initial employment and with approval of the appointing authority, a regular employee is eligible for use of up to 80 hours of a vacation leave bank. A regular employee appointed to a part-time position is eligible for a prorated amount for use of a vacation leave bank. Employees who have not accrued 80 hours of vacation ~~must~~will have a prorated amount added to their vacation leave bank.

Upon initial employment and with the approval of the appointing authority, an LCC limited term employee appointed to a full-time position of at least 9 months in duration who will become vacation accrual eligible may receive 24 hours of a vacation leave bank. A LCC limited term employee appointed to a part-time position of at least 9 months in duration who will become vacation accrual eligible may receive a prorated amount for use of a vacation leave bank.

The vacation leave bank shall be reduced proportionately as vacation leave is earned. Vacation bank hours cannot be used for “Conversion of Accumulated Vacation to Deferred Compensation” under Pre-Tax Accounts.

Any employee separated from state service shall not be compensated for remaining vacation leave bank hours. A negative vacation leave bank remaining on the date of transfer or separation must be canceled by deducting the amount of pay for its negative hours from any pay due to the employee.

Limit on Accumulation

Vacation leave may be accumulated to any amount provided that once, at the end of at least one payroll period during each calendar year, each employee's balance must be reduced to 300 hours or less at the end of at least one payroll period during that calendar year. An employee's 300-hour limit is referred to in this section as “the maximum number of hours.”

VACATION LEAVE (continued)

For this purpose, the employee's balance at the end of the payroll period is the vacation balance after the deduction of hours used that payroll period and before the addition of vacation hours earned during the payroll period. If this reduction to the maximum number of hours or less is not accomplished by the employee before then, the employer will reduce the amount of vacation to the maximum number of hours at the end of the last payroll period that ends during the calendar year. No employee may be paid for more than the maximum number of hours.

Employees on Paid Military Leave

Employees on a paid military leave accrue vacation leave as though actually employed without maximum accumulation. Vacation earned in excess of the maximum accumulation must be taken within two years of the date the employee returns from military leave.

Using Vacation Leave Instead of Sick Leave

Upon request, employees on sick leave may use vacation leave instead of sick leave provided they meet the criteria of sick leave use and would exceed the vacation leave maximum (see also page 21).

Vacation Leave Record

Each agency must keep a current record of each employee's vacation accruals which must be made available to the employee upon request.

Transfers and Reappointments

An employee's accumulated vacation leave transfers to the new appointing authority if the employee transfers without a break in service: (1) to another appointing authority within the legislative branch; (2) to the legislative branch from another position in Minnesota state government that participates in the State Employees Group Insurance Program; or (3) from the legislative branch to another position in Minnesota state government. In these cases, leave must not be liquidated by cash payment. However, if the new position does not provide for vacation leave, accumulated vacation leave must be liquidated by cash payment. The amount of vacation leave that may be transferred is subject to limits imposed by the receiving entity's collective bargaining agreement or compensation plan. Employees hired before changes to this section go into effect ~~must~~will be credited with time in accordance with the policy that was in effect at the time of hire.

A departing employee may transfer the maximum amount of accumulated vacation leave permitted to be transferred in by the receiving entity. If the amount the receiving entity permits the employee

VACATION LEAVE (continued)

to transfer in is less than the employee's accumulation, the ~~Appointing Authority~~employer must ~~will~~ liquidate by cash payment the number of hours by which the employee's accumulation exceeds the amount transferable, so long as the total of the number of hours transferred and the number of hours paid out does not exceed the maximum number of hours specified in the section entitled "Limit on Accumulation" above.

Vacation Length of Service

For determining vacation length of service for the calculation of vacation accrual rate, an employee reappointed to legislative service or an employee from any other position in Minnesota state service, service in a local unit of government, the federal government, active military service, another state government, or a tribal government appointed to legislative service shall accrue vacation leave according to the length of service the employee had attained at the time of separation. However, the reappointment or appointment must be within ten years from the date of separation in good standing. The employee must provide supporting documentation of relevant service no later than six months after hire or rehire. Temporary staff who are hired into a vacation eligible position must provide supporting documentation of relevant service no later than six months from their regular position hire or rehire date.

Vacation Requests

Every reasonable effort consistent with scheduling of the work unit must be made by the supervisor to schedule employee vacations at a time agreeable to the employee.

*Do I need to use my **vacation time** for attending a training course?*

If the training has been approved as a job-related activity, you may count the time as part of your regular work time and do not need to charge it to vacation or leave without pay.

Employees must submit requests for vacation to their supervisor in advance of the requested date of the start of the vacation. Conflicts involving vacation scheduling shall be resolved by the supervisor.

Vacation Charges

Employees who use vacation are charged only for the number of hours they would have been scheduled to work during the period of absence. However, vacation leave ~~must~~may not be granted in increments of less than one-quarter hour, except to permit use of lesser fractions that have accrued. Holidays occurring during vacation periods are paid as a holiday and not charged as a

VACATION LEAVE (continued)

vacation day. Employee vacation accruals earned while on paid leave may be used by the employee with the approval of the supervisor without returning to work prior to the use of accrued leave. Employees may not use sick leave for vacation purposes.

If an employee is entitled to use sick leave while on vacation, vacation leave is changed to sick leave, effective the date of the illness or disability, upon notice to the employee's supervisor. Upon request of the employee's Human Resources Office or Human Resources ~~d~~Designee, an employee using a sick leave of more than three consecutive days may be requested to furnish a medical statement (see Medical Practitioner Statement, page 21).

Vacation Rights

Any employee separated from state service is compensated in cash, at the employee's then current rate of pay, for ~~all the balance of the employee's available~~ vacation leave ~~accrued to at~~ the time of separation but not in excess of the maximum number of hours specified in the section entitled "Limits on Accumulation" above. The maximum number of hours limitation does not apply: 1) if the separation is because the employee has died; or 2) at the appointing authority's discretion, for an employee on notice of termination.

Employees paid for less than a normal pay period shall have their vacation accruals prorated.

SICK LEAVE

Sick Leave Accrual

All regular full-time employees and temporary full-time employees accrue sick leave at the rate of 4 hours per payroll period for 26 pay periods, 4.335 hours per payroll period for 24 pay periods during continuous employment beginning with their date of hire. Sick leave accrual rates are prorated for regular and temporary employees working less than full time. Employees eligible to earn sick leave, who leave a legislative payroll, and then are re-employed within five years of their separation as a temporary employee, are eligible to have their sick leave accruals reinstated immediately upon re-employment.

Emergency Sick Leave Upon Initial Employment

Upon initial employment and with approval of the appointing authority, a regular employee is eligible for use of up to 240 hours for emergency sick leave. A regular employee appointed to a part-time position is eligible for a prorated amount for use of emergency sick leave. The negative balance shall be reduced proportionately as sick leave is accumulated. An employee may continue to use emergency sick leave until the emergency sick leave balance is depleted. If additional sick leave is used before the sick leave balance has been restored to a positive balance sufficient to cover the time off needed, the time will be charged to vacation leave if available or the appointing authority may grant leave without pay. If an employee has a negative sick leave balance upon termination of service, the negative balance must be eliminated by charging the time first to vacation leave and then, to the extent necessary, to reduce pay.

Earned Sick and Safe Time (ESST) for Temporary Employees

Upon initial employment and with approval of the appointing authority, a temporary employee is eligible for use of up to 24 hours for emergency ESST leave. A temporary employee appointed to a part-time position is eligible for a prorated amount for use of emergency ESST leave. The negative balance shall be reduced proportionately as ESST leave is accumulated. An employee may continue to use emergency ESST leave until the emergency ESST leave balance is depleted. If additional ESST leave is needed before the ESST leave balance has been restored to a positive balance sufficient to cover the time off needed, the time is without pay if there are no other paid leave balances available at that time. If an employee has a negative ESST leave balance upon termination of service, the negative balance must be eliminated by reducing pay on the final paycheck.

Emergency Sick Leave During Widespread Illness

An appointing authority may adopt temporary policies that permit negative sick leave balances, additional sick leave, or similar related measures, if the appointing authority determines that a widespread illness threatens or may threaten the appointing authority's ability to effectively conduct its usual business functions.

SICK LEAVE (continued)

Employees on Military Leave

Employees reinstated from military leave must be credited with sick leave as though actually employed, as provided under Minnesota Statutes § [192.261](#).

Sick Leave Record

Each agency shall keep a current record of each employee's sick leave accruals and use, which must be provided to the employee at the end of each pay period and ~~made~~ available to the employee upon request.

Sick Leave Use

An employee must be granted sick leave with pay to the extent of the employee's accumulation for absences:

- A. By necessity for an employee's mental or physical illness, injury, health condition, or disability, including a period of time that a medical practitioner advises that the employee is unable to work (see also Medical Practitioner Statement, page 21).
- B. By necessity for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or need for preventative medical or health care for the employee.
- C. By necessity for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or the need for preventative medical or health care of the employee's family member. For the purposes of sick leave use under this policy, a family member includes:
 - a. An employee's:
 - i. child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis;
 - ii. spouse or registered domestic partner;
 - iii. sibling, stepsibling, or foster sibling;
 - iv. biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
 - v. grandchild, foster grandchild, or step grandchild;
 - vi. grandparent or step grandparent;
 - vii. a child of a sibling of the employee;

SICK LEAVE (continued)

- viii. a sibling of the parents of the employee;
 - ix. or a child-in-law or sibling-in-law;
 - b. any of the family members listed in items (i) or (iv) of a spouse or registered domestic partner; and
 - c. any other individual who is related by blood, a regular member of the immediate household, or whose close association with the employee is the equivalent of a family relationship, or any other individual annually designated by the employee.
- D. By necessity to attend a special education meeting addressing the educational and special medical needs of an employee's child (including adult children, step-children, or foster children including wards and children for whom the employee is the legal guardian) who has a serious health condition as certified by a health care provider, where the employee's attendance is necessary to discuss changes in care due to a child's serious health condition.
- E. –Up to five days to arrange for necessary nursing or home care for a family member. (This leave is in addition to sick leave to care for a family member in paragraph C).
- F. –Up to 240 hours, as determined on a prorated basis based on whether the employee's schedule is full-time or part-time, for a parent upon the birth of a dependent child. This leave is to be taken within one year after the child's birth or arrival in the home. For an employee who gave birth, this leave runs concurrently with any leave for recovery from birth under paragraph A.
- G. –Up to 240 hours, as determined on a prorated basis based on whether the employee's schedule is full-time or part-time, for a parent upon receiving notice of adoptive referral or match, or both. The adoption-related leave may be taken at any time to facilitate the steps required to complete the processes of the adoption; to include travel to the child's country of origin as required to meet the child and complete the in-country placement or adoption process, or both; the process of adjustment of the child and family together after placement or adoption, or both; and the process for the U.S. finalization or re-adoption, or both. This leave is to be taken within the period beginning with the adoptive referral or match, or both, or arrival in the home, whichever comes first, and ending one year after the last of those events to occur.
- H. –A reasonable period of sick leave must be granted because of death of the spouse or parents or grandparents of the spouse, or the parents, step-parents, close relative, grandparents, guardian, children, grandchildren, brothers, sisters, step-siblings, wards, or stepchildren of the employee, or a regular member of the immediate household, or another family member of the employee, as described in paragraph C on page 18. This leave includes time to make arrangements for, or to attend, funeral services or a

SICK LEAVE (continued)

memorial, or to address financial or legal matters that arise after the death of an employee's family member.

- I. –Such reasonable periods as an employee's attendance may be necessary to accompany a family member as defined to dental or medical appointments.
- J. –An employee may use up to 160 hours for safety leave within any 12-month period. The employee may use sick leave as allowed under this section for safety leave for such reasonable periods of time as may be necessary. Safety leave may be used for assistance to the employee or assistance to the family member described in paragraph C on page 18. For this paragraph "safety leave" is leave due to domestic abuse, sexual assault, or stalking of the employee or employee's family member as described in Minnesota Statutes section [181.9447](#), subdivision 1, clause (3).

An employee's Human Resources Office or Human Resources ~~d~~Designee may request reasonable documentation for the use of safety leave for more than three consecutive days, as provided under § [181.9447](#), subdivision 3, paragraph (c). Reasonable documentation may include a court record, signed documentation from a victims services organization, an attorney, a police officer, or an antiviolence counselor, or if such documentation cannot be obtained without added time or expense, a statement from the employee indicating that the employee is using or used safety leave for a qualifying purpose.

An appointing authority may not retaliate against an employee for using safety leave.

- K. –An employee may use sick leave due to closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency as defined under Minnesota Statutes section [181.9447](#), subdivision 1.
- L. –An employee may use sick leave due to the employee's inability to work or telework because the employee is: (i) prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or (ii) seeking or awaiting the results of a diagnostic test for, or medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis.
- M. –An employee may use sick leave when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a

SICK LEAVE (continued)

communicable disease, whether or not the employee or family member actually contracted the communicable disease.

- N. ~~–An employee must use sick leave for its intended purpose and not for vacation, volunteer activities, or –other employment, unless expressly allowed under enabling leave law or other volunteer activities.~~

Retaliation Prohibited

An appointing authority may not retaliate against an employee who requests or uses sick or safety leave, or otherwise exercises their rights under the earned sick and safe time law. If an employee believes they have been retaliated against or improperly denied use of sick time for a qualified reason under the earned sick and safe time law, they can file a complaint with the Minnesota Department of Labor and Industry. They can also file a civil action in court for violations under the earned sick and safe time law.

Accrual Before Use

Sick leave hours may not be used during the payroll period in which they accrue.

Medical Practitioner Statement.

Use of Sick Leave. Upon the request of the appropriate Human Resources Office or Human Resources ~~d~~Designee, employees using sick leave for more than ~~two~~three consecutive scheduled work days may be required to furnish a statement from a medical practitioner supporting the use of sick leave. If the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using or used sick leave for a qualifying purpose.

Return from sick leave. An employee's Human Resources Office or Human Resources ~~d~~Designee may also require employees who use sick leave for themselves for more than ~~two~~three consecutive scheduled work days or for 24 or more hours in a pay period, to submit documentation from a medical practitioner verifying when the employee is able to return to work and outlining any restrictions. An employee's Human Resources Office or Human Resources ~~d~~Designee may also request the employee to furnish a statement from a medical practitioner if the Human Resources Office or Human Resources ~~d~~Designee has reason to believe the employee is not physically fit to return to work or has been exposed to a contagious disease which endangers the health of other employees, clients or the public.

SICK LEAVE (continued)

If the employee fails to furnish a statement requested under this provision or reasonable documentation within the timeframe specified in the request, the supervisor may require the employee to use vacation leave, compensatory time or unpaid leave, at the appointing authority's discretion.

Sick Leave Use While on Paid Leave

Upon approval of the supervisor, employee sick leave accruals earned while on paid leave may be used by the employee without returning to work prior to the use of that accrued sick leave.

Using Vacation Leave Instead of Sick Leave

Employees may choose to use vacation leave for covered sick leave purposes. An employee on sick leave who uses all of the employee's sick leave accumulation and who still meets the criteria for sick leave use shall have the right to use vacation leave to the extent of the employee's vacation accumulation (see also page 14).

Sick or Safe Leave Requests

Employees should submit requests for sick or safety leave to their supervisor in advance of the period of absence whenever possible. If an employee plans to use sick or safety leave for an appointment, preventive care, or another permissible reason they know of in advance, the employee must inform their direct supervisor by email or phone as far in advance as possible, but at least three days in advance. When advance notice is not possible, employees must notify their direct supervisor by telephone, email, or other communication as soon as they know they will be unable to work. Each appointing authority may establish specific notice requirements for use or documentation of sick or safety leave consistent with section [181.9447](#), subdivisions 2 and 3.

Sick Leave Charges

An employee using sick leave is charged only for the number of hours the employee was scheduled to work during the period of sick leave. However, sick leave ~~must~~^{may} not be granted for periods of less than one-quarter hour except to permit use of lesser fractions that have accrued. Holidays occurring during sick leave periods are paid as a holiday and not charged as a sick leave day.

Any employee incurring an on-the-job injury is paid the employee's regular rate of pay for the remainder of the day. Any necessary sick leave charges for employees so injured commence on the first scheduled workday following the injury (see Workers' Compensation section on pages 65-66).

Transfers and Reappointments

SICK LEAVE (continued)

An employee's accumulated sick leave transfers to the new appointing authority if the employee transfers without a break in service: (1) to another appointing authority within the legislative branch; (2) to the legislative branch from another position in Minnesota state government that participates in the State Employee Group Insurance; or (3) from the legislative branch to another position in Minnesota state government. In these cases, accumulated sick leave must not be paid out as severance pay. However, if the new position does not provide for sick leave, accumulated sick leave must be paid out as severance pay. The amount of sick leave that may be transferred is subject to limits imposed by the receiving entity's collective bargaining agreement or compensation plan. Employees hired before changes to this section go into effect ~~must~~will be credited with time in accordance with the policy prescribed by the appointing authority at the time of hire.

A negative sick leave balance may not be transferred. Any negative sick leave balance remaining on the date of transfer must be canceled by deducting the amount of pay for its negative hours from any pay due to the employee.

An eligible employee reappointed to legislative service within ten years from the date of separation in good standing must have accumulated but unused sick leave balance and bank posted to the employee's credit. The employee must provide supporting documentation no later than six months after hire or rehire.

An employee who receives severance pay for accumulated sick leave and accumulated sick leave bank, but returns to legislative service, shall have the employee's sick leave balance and bank restored at the previous level less the number of hours paid as severance.

Work-Related Disability and Employment

The appointing authority ~~must~~will attempt to place employees who have incurred a work-related disability in areas of work ~~that~~which would fit the employee's capabilities but ~~will~~does not create a job just to provide employment.

Sick Leave for Veterans with Service-Related Disabilities

An appointing authority ~~must~~will comply with Minnesota Statutes, § [43A.184](#), which authorizes an appointing authority to approve an application for additional sick leave to an employee who is a military veteran with a service-related disability for treatment of that disability, if the employee's sick leave balance is insufficient for that purpose.

SEVERANCE PAY

Severance Pay as a Benefit

Severance pay represents a benefit to employees for low usage of sick leave and to eliminate difficulties caused by a change of employer. It is not compensation. Severance pay does not include any accrued vacation time. For purposes of calculating severance pay for an employee with prior legislative service or other qualifying Minnesota state service, “Minnesota state length of service” is calculated as follows:

An employee who leaves legislative service or other Minnesota state service covered by SEGIP⁷ and is appointed or reappointed to the legislature within 10 years of the separation, shall be credited with the length of service the employee attained at the time of separation. The employee must provide supporting documentation of relevant service no later than six months after hire or rehire.

Additional length of service used for the purposes of calculating vacation accrual will not be used in the calculation of severance pay.

Temporary staff hired into a vacation-eligible position must provide supporting documentation of relevant service no later than six months from the hire or rehire date to a vacation eligible position. Employees hired before changes to the vacation leave section go into effect will be credited with time in accordance with the policy that was in effect at the time of hire.

Retirement, Annuity Eligible, Death or Involuntary Termination

The following employees, regardless of length of service, receive severance pay equal to 40 percent of the employee’s first 900 hours of accumulated but unused sick leave balance and 12-1/2 percent of the employee’s accumulated but unused sick leave balance in excess of 900 hours, times the employee’s regular rate of pay at the time of separation.

- Upon retirement on or after age 65;
- Employees who die while employed;
- Employees who are involuntarily terminated;
- Employees who are under age 65 and who are immediately entitled at the time of separation to receive an annuity under MSRS (notwithstanding an election to defer payment of the annuity).

Temporary employees who are not vacation accrual eligible are not eligible to have their sick leave paid out. Instead, this time will be reinstated according to the rules governing temporaries who are reappointed to service.

SEVERANCE PAY (continued)

Phased Retirement

At the appointing authority's discretion, full-time, regular employees who have reached age fifty-five (55) or more, have ten (10) or more years of continuous state service, and have given written notice of their retirement date may be eligible to participate in the Phased Retirement. The eligible employee's retirement date must occur in six (6) months or less from the date of the phased retirement request. Employees participating under this policy must have a part-time work schedule of no less than 50%.

The Employer retirement contributions necessary to accrue allowable service credit in the retirement fund during the period of part-time employment shall be paid by the Employer at the current employer contribution rate calculated by the new part-time wages.

Employees approved for phased retirement shall be eligible for Employer paid insurance benefits as if the employee was employed full-time. Employee contributions necessary to maintain all benefits as if the employee was employed full-time shall be the responsibility of the employee.

Post-Retirement Option (PRO)

If agreed to by the appointing authority, an employee who has retired from state employment may enter into a post-retirement option (PRO) agreement under Minnesota Statutes § [43A.346](#) with the same appointing authority the employee had been employed by at the time of the employee's retirement or with a different appointing authority. A PRO provides limited duration, part-time employment to employees who are determined by the appointing authority to satisfy eligibility criteria under Minnesota Statutes §[43A.346](#). Eligibility for floating holidays, vacation leave, sick leave, and severance is at the discretion of the appointing authority.

Upon Voluntary Termination

Upon voluntary termination, regardless of length of service, employees receive severance pay equal to two percent of accumulated but unused sick leave balance for each year of completed service to a maximum of 40 percent of the first 900 hours of accumulated but unused sick leave. Partial years shall be calculated based on the number of months of completed service. An employee shall also receive severance pay equal to 12-1/2 percent of the employee's accumulated but unused sick leave balance that exceeds 900 hours.

Temporary employees who are not vacation accrual eligible are not eligible to have their sick leave paid out. Instead, this time will be reinstated according to the rules governing temporary employees who are reappointed to service.

SEVERANCE PAY (continued)

Severance pay is figured at the employee's regular rate of pay at the time of separation.

How Severance Pay is Paid.

- A. Severance pay is paid in cash to employees who have less than five years of service and are not annuity eligible.
- B. For employees who have five years or more of service and are not annuity eligible, severance is paid in cash for their first 100 hours of accumulated but unused sick leave. Severance based on accumulated but unused sick leave in excess of 100 hours is paid as a credit to the employee's account in the Health Care Savings Plan (see pages 63-64)
- C. For employees who, at the time of termination, are immediately entitled to receive an annuity under a state retirement program (notwithstanding an election to defer payment of the annuity), severance based on accumulated but unused sick leave is paid as a credit to the employee's account in the Health Care Savings Plan (see pages 63-64).
- D. Each employee who, at the time of termination is immediately entitled to receive an annuity under a state retirement program (notwithstanding an election to defer payment of the annuity) will receive an additional severance payment of \$250, to be paid as a credit to the employee's account in the Health Care Savings Plan. Employees are limited to receiving this \$250 benefit once during their total employment in the legislative branch.
- E. An employee who receives a credit in the Health Care Savings Plan must be paid an additional credit to the Health Care Savings Plan in an amount equal to the FICA taxes that would have been payable to the federal government by the appointing authority if the severance pay had been paid to the employee in cash.
- F. Amounts to be paid into the Health Care Savings Plan under (b) to (e) must total at least \$250; otherwise the amount, excluding FICA taxes, must be paid to the employee in cash.
- G. All severance-related pay is paid in cash to employees who are deceased at the time of payment.
- H. All severance payments based upon sick leave hours are calculated, as described above, by multiplying the number of hours by the applicable percentage and then by the rate of pay.

Reappointment to State Service

SEVERANCE PAY (continued)

Should any employee who has received severance pay be subsequently reappointed to state service, eligibility for future severance pay will not include any sick leave restored to the employee's accrual balance that was previously accrued for the purposes of a severance payout at the time the employee was reappointment. is computed upon the difference between the amount of accumulated but unused sick leave restored to the employee's credit at the time the employee was reappointed and the amount of accumulated but unused sick leave at the time of the employee's subsequent eligibility for severance pay. If the employee enters into a post-retirement option (PRO) agreement under Minnesota Statutes § [43A.346](#), the employee's eligibility for severance is at the discretion of the appointing authority.

Exclusion from Retirement Deductions/Benefits

Severance pay and the liquidation of accrued vacation leave are excluded from retirement deductions and from any calculations in retirement benefits.

Unpaid Leave Upon Separation

Unpaid leave may not be used upon separation from legislative service to extend employer paid insurance coverage.

Severance Not Paid on Additional Sick Leave

Severance is not paid on unused additional sick leave granted to an employee for Emergency Sick Leave during widespread illness, Sick Leave for Veterans with Service-Related Disabilities, Emergency Sick Leave upon Initial Employment, or Donated Leave hours.

*I have a question on **unemployment insurance**. Whom should I contact?*

For general information, call the Minnesota Department of Employment and Economic Development (DEED)) at 651. 296.3644. Unemployment insurance benefits information is also found on the Department Web site at: <http://www.uimn.org/uimn/applicants/>

LEAVE DONATION

Employees of the House, Senate and legislative commissions or joint agencies under the jurisdiction of the Legislative Coordinating Commission may donate accrued vacation leave or compensatory time to benefit another employee of another appointing authority in the legislature. The LCC and Senate may adopt policies that permit leave donations to employees in the executive branch or the judicial branch. Donations under this paragraph are governed under the policy of the employee's appointing authority.

The maximum amount of leave donation that can be received and used is 1044 hours per calendar year. Donated leave balances do not transfer upon separation of employment and revert to the appointing authority.

To be eligible to receive donated time, an employee must have been determined to be eligible by the employee's appointing authority. The use of donated leave is governed by the receiving employee's appointing authority.

LEAVES OF ABSENCE

Application for Leave

All requests for leaves of absence or extensions thereof will be approved or denied by the appointing authority. ~~Requests for leaves or extensions shall be~~ and submitted to the employee's immediate supervisor or Human Resources Office as soon as practicable once the need for the leave or extension is known. The request must state the reason for requesting leave and the anticipated duration of the leave of absence. ~~Failure to return at the end of an approved leave of absence, without contacting the appointing authority to request an extension prior to the end of the approved leave, shall be deemed to be a voluntary resignation.~~

Authorization for Leave

All requests for a leave of absence must be answered promptly. A mandatory leave of absence request as identified within this plan will be approved as required by law and subject to the requirements of this Plan. An optional -leave of absence request may not be unreasonably denied. An employee may not be required to exhaust vacation leave, sick leave or other paid time off accruals prior to a leave of absence. Authorization or denial of a leave of absence by the appointing authority must be furnished to the employee by the supervisor or Human Resources designee.

When an unpaid leave of absence has been approved for an employee, the appointing authority shall advise the employee in writing of the steps the employee must take to continue insurance coverages.

Upon separation, an unpaid leave may not be used to extend employer paid insurance coverage.

Accrual Rates

Accrual of vacation and sick leave benefits and length of service shall continue during a leave of absence with pay at employee's scheduled rate. If an employee is granted leave without pay, the employee will not be credited with vacation, sick or length of service accruals for the period of leave without pay unless otherwise indicated.

Reinstatement After Leave

Subject to a contrary term under which a leave was granted, or subject to reorganization by the appointing authority, an employee returning from an approved leave of absence shall be entitled to return to employment in the employee's former position or a position of comparable duties and pay.

Employees returning from leaves of absence in excess of one month must notify their appointing authority at least two weeks prior to their return from leave. Employees returning from an unpaid

LEAVES OF ABSENCE (continued)

leave of absence return at the same rate of pay the employee had been receiving at the time the leave of absence commenced plus any automatic adjustments that would have been made had the employee been continuously employed during the period of absence.

Employees may return to work prior to the agreed upon termination date with the approval of the appointing authority.

Failure to return at the end of an approved leave of absence, without contacting the appointing authority to request an extension prior to the end of the approved leave, shall be deemed to be a voluntary resignation.

Paid Leaves of Absence – Mandatory

Paid leaves of absence granted under this Plan may not exceed the employee's work schedule. An appointing authority **must grant** an advance request for a paid leave of absence for the following reasons:

- A. **Court Appearance Leave:** Leave, including travel time, for appearance before a court or other judicial or quasi-judicial body for job-related purposes.
- B. **Educational Leave:** Leave for educational purposes, if the education is required by the appointing authority.
- C. **Jury Duty Leave:** Leave for service upon a jury. "Service upon a jury" includes time when the employee is impaneled for actual service or is required by the Court to be present for selection for service. During any other time, the employee must report to work.

~~D.C. **Military Leave:**~~

~~a) In accordance with Minnesota Statutes § 192.26, up to 15 working days leave per calendar year shall be granted to members of the National Guard or military or naval reserves of the United States or of the State of Minnesota who take military leave. The employee, upon receiving written notification of duty, must notify the employee's immediate supervisor within three calendar days of receiving that written notification. Employees must also provide their human resources representative with a copy of their orders.~~

~~(b) In accordance with Minnesota Statutes § 43A.183, a salary differential will be paid to certain members of the National Guard and other reserve components of the U.S. Armed Forces who are called up for active duty. These employees have certain rights to continue health, dental, and pre-tax accounts, as provided in that statute. The appointing authority will follow the procedures required~~

LEAVES OF ABSENCE (continued)

~~under that statute in administering requests for the salary differential and benefit continuation required under that statute.~~

- E. **Voting Time Leave:** Leave for the time actually necessary to vote in elections as defined in Minnesota Statutes § [204C.04](#). This leave includes necessary time spent to vote early or by in-person absentee ballot, and also applies to tribal elections. Voting time leave may only be taken during hours the employee is otherwise regularly-scheduled to work.
- F. **Election Judge Leave:** Leave for service as an election judge without penalty under procedures contained in Minnesota Statutes § [204B.195](#). This leave also includes the required training time to serve as an election judge. An employee's salary during any hours of election judge leave that exceed 32 hours in a calendar year will have the hours that are in excess of 32 hours reduced in an amount proportional to the employee's election judge earnings.
- G. **Blood Donation Leave:** Leave not to exceed 6 hours in a 12-month period to donate blood at a location away from the workplace and a reasonable period for an onsite program endorsed by the appointing authority.
- H. **Bone Marrow Donation Leave:** Leave to undergo a medical procedure to donate bone marrow. This leave is subject to Minnesota Statutes § [181.945](#).
- I. **Athletic Leave:** Leave under the same terms as those granted to state employees in the executive branch under Minnesota Statutes § [15.62](#) to prepare for and engage in world, Olympic, or Pan American games competition.
- J. **Quarantine Leave:** Leave as required by Minnesota Statutes § [144.4196](#) to comply with isolation or quarantine restrictions. This leave is in addition to safety leave described under Sick Leave [Use](#), paragraph J.
- K. **Domestic Abuse Leave:** Leave, as required by Minnesota Statutes § [518B.01](#), subd. 23, to obtain relief from domestic abuse. This leave is in addition to safety leave described under Sick Leave [Use](#), paragraph J.
- L. **Harassment Leave:** Leave as required by Minnesota Statutes § [609.748](#), subd. 10, to obtain relief from harassment. This leave is in addition to safety leave described under Sick Leave [Use](#), paragraph J.
- M. **Victim Witness Leave:** Leave as required by Minnesota Statutes § [611A.036](#), subd. 3, to attend criminal proceedings as a victim or witness. This leave is in addition to safety leave described under Sick Leave [Use](#), paragraph J.

LEAVES OF ABSENCE (continued)

- N. **Organ Donation Leave:** Leave as required by Minnesota Statutes § [181.9456](#), for the purpose of donation of an organ or partial organ. The use of this leave does not preclude use of other leave.

Paid Leaves of Absence – Optional

The appointing authority **may grant** paid leaves of absence for the following reasons:

- A. **Emergency Leave:** An appointing authority may excuse employees from duty with full pay in the event of a natural or man-made emergency, if continued presence would involve a threat to the employee's health or safety. A "natural emergency" includes severe weather conditions that, in the appointing authority's opinion, make traveling hazardous. Employees who must work despite the emergency must be allowed to take leave on another day agreed to by the employee and the appointing authority. This leave is in addition to sick leave described under Sick Leave Use, paragraph K.
- B. **Transition Leave:** Leave of up to 80 hours, at the appointing authority's discretion, for a regular employee on notice of termination. This leave must be taken in the final eight calendar weeks, ending at the date of termination.
- C. **Investigatory Leave:** An appointing authority may place an employee who is the subject of a disciplinary investigation on an investigatory leave with pay.
- D. **Administrative Leave:** At the appointing authority's discretion, an employee may be placed on paid administrative leave for up to 30 calendar days when the employee or a member of the employee's immediate family or a regular member of the immediate household has been a victim of a violent crime. The appointing authority may request the employee to provide documentation demonstrating the appropriateness of the leave. The appointing authority's policy shall be to return the employee to work as soon as it is practical and prudent. For the purpose of this provision, "violent crime" includes murder, manslaughter, criminal vehicular homicide or injury, assault, robbery, kidnapping, criminal sexual conduct, witness tampering, arson, burglary, drive-by shooting, domestic abuse, as defined in Minnesota Statutes § [518B.01](#), and harassment or stalking under Minnesota Statutes § [609.749](#). This leave is in addition to safety leave described under Sick Leave Use, paragraph J.

~~E. E.~~ **Disaster Volunteer Leave:** Participation in specialized disaster relief services for the American Red Cross by a certified disaster volunteer, as provided in Minnesota Statutes § [43A.185](#).

F. Employee Interchange Program:

LEAVES OF ABSENCE (continued)

An employee may participate in the government employee interchange program under Minnesota Statutes § 15.51 to § 15.59 subject to the approval of the appointing authority.

G. Leadership Approved Leave: The appointing authority or Director of Human Resources may approve leave in circumstances for which it may be necessary or appropriate, and another form of leave is not available.

Unpaid Leaves of Absence – Optional

The appointing authority **may grant** an advance request for an unpaid leave of absence for the following reasons:

- A. **Unclassified Service Leave:** Leave to any legislative employee to accept another position in the unclassified service of the state.
- B. **Educational Leave:** Leave for educational purposes not covered by provisions of this Plan governing paid leaves of absence.
- C. **Personal Leave:** Leave for personal reasons.
- D. **Leave for Related Work:** Leave not to exceed one year to accept a position of fixed duration outside of legislative service that is related to the employee's current work.
- E. **Salary Savings Leave:**
 - (a) The appointing authority may allow each employee to take an unpaid leave of absence for up to 1,040 hours in each two-year period beginning July 1 of each odd-numbered year. Each appointing authority approving the leave must allow the employee to continue accruing vacation and sick leave, be eligible for paid holidays and insurance benefits, accrue seniority, and, if payments are made under paragraph (b), accrue service credit and credited salary in state retirement plans as if the employee had actually been employed during the time of the leave. An employee covered by the unclassified plan may voluntarily make the employee contributions to the unclassified plan during the leave of absence. If the employee makes these contributions, the appointing authority must make the employer contribution. If the leave of absence is for one full pay period or longer, any holiday pay must be included in the first payroll warrant after return from the leave of absence. The appointing authority must attempt to grant requests for unpaid leaves of absence consistent with the need to continue efficient operation of the agency. However, each appointing authority retains

LEAVES OF ABSENCE (continued)

discretion to grant or refuse to grant requests for leaves of absence and to schedule and cancel leaves.

- (b) To receive eligible service credit and credited salary in a defined benefit plan, the employee must pay an amount equal to the applicable employee contribution rates. If an employee pays the employee contribution for the period of leave under this section, the appointing authority must pay the employer contribution. The appointing authority may, at its discretion, pay the employee contributions. Contributions must be made in a time manner prescribed by the executive director of the applicable pension plan.

~~(b)(c)~~ Salary savings leave may run concurrently to a period of Paid Family Medical Leave (PFML), as described under the Family, Medical, and Parental Leave, paragraph A, at the discretion of the appointing authority.

- F. ~~Elder Care Leave: The appointing authority may grant elder care leave to arrange care for parents of the employee or of the employee's spouse.~~

Unpaid Leaves of Absence – Mandatory

The appointing authority **must grant** unpaid leaves –of absence for the following reasons:

- A. ~~Disability Leave: Leave up to one year to any regular employee who, because of an extended illness or injury, has exhausted the employee's accumulation of sick leave balance and bank. (Upon the request of the employee, the leave may be extended.) An employee's Human Resources Office or Human Resources Designee may require an employee to furnish a statement from a medical practitioner that supports the need for the leave. An employee's Human Resources Office or Human Resources Designee may require this statement to provide information on when the employee will be able to return to work, including any restrictions on the employee's return to work. An employee who becomes disabled while on another type of leave of absence may apply for and receive disability leave status, so the employee becomes eligible for disability pension.~~

- ~~B.A. Parental Leave (Maternity/Paternity/Adoption/Foster Care): Leave up to six months to a biological parent, adoptive parent, or foster parent who requests leave in conjunction with the birth, adoption, or placement of a child. Leave may be extended up to one year by mutual consent between the employee and the appointing authority. (This leave may be used in addition to other leave provided in this plan.)~~

~~A regular employee may take Caretaker, Pregnancy and Medical Leave as parenting leave for up to 12 weeks, which would permit the employee to continue to receive the employer contribution for insurance under Paragraph D.~~

LEAVES OF ABSENCE (continued)

~~C.~~ **Military Service Member Leave:**

~~D.C.~~ Leave up to 26 weeks with the employer contribution of health insurance paid for employees to care for a covered military service person with a serious injury or illness as a result of active duty or the call to active duty service and whom the military has placed on temporary disability status. Up to 26 weeks may be taken only once in a 12-month period. Employees may not combine Military Service Member Leave and Caretaker, Pregnancy and Medical Leave for the same occurrence. A covered military service person means the employee's spouse, son, daughter, (including employee's biological, adopted, or foster child, step child, legal ward or a child whom the employee was responsible to care for and financially supported), regular member of the household, or parent (including employee's biological, adoptive, step or foster father or mother, or any other person who was responsible for the employee's care and financial support).

~~E.C.~~

~~F.C.~~ Leave up to 12 weeks because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. The military member must be part of the reserves or retired. Qualifying exigencies include: short notice deployments, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post deployment activities and additional activities as agreed upon by both the employer and employee. A contingency operation means a military operation that:

~~G.C.~~

~~H.C.~~ Is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force.

~~I.C.~~ Results in the call or order to, or retention on, active duty of members of the uniformed services under designated sections of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress.

~~J.C.~~ **Military Leave:** Leave to an employee who enters into active military service in the armed forces of the United States for a period of military service, not to exceed the period of time required under federal law (usually five years), as provided in 38 United States Code, section 4112. Benefits provided by the appointing authority will be administered for an employee on military leave under this paragraph in compliance with 38 United States Code, sections 4301 to 4333.

~~K.D.~~ **VISTA or Peace Corps Leave:** Leave for VISTA or Peace Corps service for a period not to exceed four years.

LEAVES OF ABSENCE (continued)

~~L.E.~~ **Precinct Caucus Leave:** Leave for the purpose of attending a precinct caucus.

~~M.F.~~ **School Conference and Activities Leave:** Leave up to 16 hours during any school year to attend school conferences or activities related to the employee's child or to observe child care services or a pre-kindergarten program in accordance with Minnesota Statutes § [181.9412](#).

~~N.G.~~ **Political Convention Leave:** Leave for the purpose of meeting and convention activities, as specified under Minnesota Statutes § [202A.135](#). This does not sanction conduct that is otherwise prohibited or restricted by law or the appointing authority.

~~O.~~ **Civil Air Patrol Leave:** Leave, subject to Minnesota Statutes § [181.946](#), to serve as a member of the civil air patrol.

Military Leave of Absence – Mandatory

The appointing authority **must grant** a leave of absence for the following military-related leaves.

Reinstatement and applicable employment protections under the Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law apply. An employee's Human Resources office may request reasonable documentation of the need for a military related leave, and length of leave, if known, including a copy of military orders for the employee or family member for whom a qualifying exigency has arisen due to a call to active duty or training, or as otherwise indicated below.

A. Paid Military Leave:

- a) In accordance with Minnesota Statutes § 192.26, up to 15 working days leave per calendar year shall be granted to members of the National Guard or military or naval reserves of the United States or of the State of Minnesota who take military leave. The employee, upon receiving written notification of duty, must notify the employee's immediate supervisor within three calendar days of receiving that written notification. Employees must also provide their human resources representative with a copy of their orders.
- (b) In accordance with Minnesota Statutes § 43A.183, a salary differential ~~must~~ will be paid to certain members of the National Guard and other reserve components of the U.S. Armed Forces who are called up for active duty. These employees have certain rights to continue health, dental, and pre-tax accounts, as provided in that statute. The appointing authority ~~must~~ will follow the procedures required under that statute in administering requests for the salary differential and benefit continuation required under that statute.

LEAVES OF ABSENCE (continued)

B. Unpaid Military Leave: Unpaid leave to an employee who enters into active military service in the armed forces of the United States, Reserve units, National Guard components, or the commissioned corps of the Public Health Service for a period of military service or training, not to exceed the period of time required under federal law (usually five years), as provided in 38-United States Code, section 4112, title 38. Benefits provided by the appointing authority must will be administered for an employee on military leave under this paragraph in compliance with 38-United States Code, title 38 sections 4301 to 4333. This leave may run concurrently with any period of Paid Military Leave required under paragraph A.

C. Death of Military Family Member Leave: Unpaid leave up to 10 working days to an employee whose family member has been injured or killed while engaged in active service as a member of the United States armed forces, as required under Minnesota Statutes § 181.947. For the purposes of this paragraph, a family member includes an employee's spouse, son, daughter, (including employee's biological, adopted, or foster child, step child, legal ward or a child whom the employee was responsible to care for and financially supported), regular member of the household, or parent (including employee's biological, adoptive, step or foster father or mother, or any other person who was responsible for the employee's care and financial support). By law, this leave may be reduced by any period of paid leave provided under this Plan. This leave does not reduce a period of PFML leave, unless otherwise permitted by law.

D. Leave to Attend Military Family Member Ceremonies: Unpaid leave up to one working day or the actual time necessary to attend a send-off, homecoming, or other military ceremony for an employee whose family member has been ordered into active service in the United States armed forces, as required under Minnesota Statutes § 181.948. For the purposes of this paragraph, family member has the meaning given under paragraph C. This leave does not reduce a period of PFML leave, unless otherwise permitted by law.

E. Qualifying Exigency under PFML: Leave up to 12 weeks with partial wage replacement for a qualifying exigency under Minnesota Statutes § 268B.01, subdivision 33, to support a military family member called to active duty. This includes deployment, active duty service, or notice of an impending call or order to active duty in the United States Armed Forces, National Guard or reserves. For the purposes of this paragraph, family member has the meaning given in Minnesota Statutes § 268B.01, subdivision 23, and includes a current or former military member who is a resident of Minnesota.

A qualifying exigency includes: short notice deployments, attending military events, ceremonies and related activities, providing for the care, childcare, school activities, or other needs of the family member's child or dependent, making financial and legal

LEAVES OF ABSENCE (continued)

arrangements, attending counseling, spending time with the family member during rest and recuperation or following deployment, attending post-deployment activities and making arrangements for the death of a military family member. This leave must reduce the total amount of Military Caretaker Leave available under paragraph F, number 2, so that the total length does not exceed 12 weeks. A PFML leave for a qualifying exigency may run concurrently with any other period of PFML or another paid or unpaid leave for the same occurrence, as described in paragraph H of Family, Medical and Parental Leave.

E. Military Caretaker Service Member Leave:

1. Unpaid Leave up to 26 weeks once in a 12-month period with the employer contribution of health insurance paid for employees to care for a covered military service person with a serious injury or illness as a result of active duty or the call to active duty service and whom the military has placed on temporary disability status. Up to 26 weeks may be taken only once in a 12-month period. For the purposes of this paragraph, family member has the meaning given in paragraph C. Employees may not combine this leave with other Military Service Member Leave and Caretaker, Pregnancy and Medical Leave under this Plan for the same occurrence. A covered military service person means the employee's spouse, son, daughter, (including employee's biological, adopted, or foster child, step child, legal ward or a child whom the employee was responsible to care for and financially supported), regular member of the household, or parent (including employee's biological, adoptive, step or foster father or mother, or any other person who was responsible for the employee's care and financial support). Leave taken for the same occurrence under paragraph C or under PFML will run concurrently so that the total amount of leave under this paragraph does not exceed 26 weeks total, unless otherwise approved by the appointing authority.
2. Unpaid Leave up to 12 weeks with the employer contribution of health insurance paid for eligible employees due to because of any qualifying exigency arising out of the fact that a military family member is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces, National Guard or reserves in support of a contingency operation. For the purposes of this paragraph, a military family member has the meaning given in paragraph C and must be a member of the reserves or retired. A qualifying exigency has the meaning given in paragraph E and also includes any other activities agreed upon by the appointing authority and employee. Leave taken under paragraphs D or E for the same occurrence must run concurrently, so that the total amount of leave under

LEAVES OF ABSENCE (continued)

~~this paragraph does not exceed 12 weeks total. the spouse, or a son, daughter or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. The military member must be part of the reserves or retired. Qualifying exigencies include: short notice deployments, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post deployment activities and additional activities as agreed upon by both the employer and employee. A contingency operation means a military operation that:~~

- ~~==~~
~~Is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force.~~
- ~~Results in the call or order to, or retention on, active duty of members of the uniformed services under designated sections of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress.~~

Reinstatement After Leave

~~Subject to a contrary term under which a leave was granted, or subject to reorganization by the appointing authority, an employee returning from an approved leave of absence shall be entitled to return to employment in the employee's former position or a position of comparable duties and pay.~~

~~Employees returning from leaves of absence in excess of one month must notify their appointing authority at least two weeks prior to their return from leave. Employees returning from an unpaid leave of absence return at the same rate of pay the employee had been receiving at the time the leave of absence commenced plus any automatic adjustments that would have been made had the employee been continuously employed during the period of absence.~~

~~Employees may return to work prior to the agreed upon termination date with the approval of the appointing authority.~~

Employee Interchange Program

~~An employee may participate in the government employee interchange program under Minnesota Statutes § 15.51 to § 15.59 subject to the approval of the appointing authority.~~

LEAVES OF ABSENCE (continued)

FAMILY, MEDICAL, AND PARENTAL LEAVE

Plan Requirements

PFML Terminology

- This Plan refers to the Minnesota Paid Leave Law, Minnesota statutes, Chapter 268B, also known as paid family and medical leave benefits (PFML) throughout. For the purposes of this plan, the PFML definitions in Minnesota Statutes § 268B.01 apply, unless otherwise indicated.

Notice of Leave:

- All requests for paid or unpaid family, medical, and parenting leave or extensions thereof must be approved or denied by the appointing authority.

- Notice of a leave, including the anticipated length and qualifying reason, must be submitted to the employee's supervisor or Human Resources at least 30 days in advance, when the need for a leave or extension is foreseeable or as soon as practicable when the need is unknown. The employee's Human Resources office must review and approve a leave plan prior to the start of a leave (if it is foreseeable) or as soon as practicable (if it is unexpected), including a request for an intermittent leave schedule. Each appointing authority may establish a process for their employees to request leave under this section, including notice or certification requirements that do not conflict with or otherwise exceed applicable requirements under Minnesota Statutes, § 181.939, 181.941-.943, Chapter 268B, or this Plan.

Employee's Decision:

- By law, it is **the employee's decision and responsibility** to request and take (or not take) a qualified leave under this Plan, PFML, or another law, or any combination of leaves thereof, and to take any such leave in the order they chose, subject to applicable eligibility requirements and paragraph H of this section. Nothing in this Plan should be construed as requiring an employee to take or exhaust existing vacation, sick, compensatory time, or any other accrued paid time off before taking PFML, nor should it be construed as requiring an employee to take a paid or unpaid leave under this Plan or another law before taking PFML.

- Upon an employee's request, leave planning resources or spreadsheets may be provided by the employee's Human Resources Office *for informational purposes only*. This information is an estimate, not a guarantee of benefits, or a determination of interaction with PFML or

LEAVES OF ABSENCE (continued)

other benefits. It is an employee's responsibility to submit timely and accurate information for the type of leave requested demonstrating eligibility.

Approval of Leave:

- Upon an employee's request, an appointing authority **must approve** a leave of up to six months for a qualified medical, family, or parental leave using any combination of leaves provided for this purpose under this section, subject to paragraph H. Upon an employee's request, the employee's leave **may be extended up to one year** with the advanced approval of the employee's department director and Director of Human Resources.

- Upon an employee's request, an intermittent leave schedule or reduced leave schedule must be approved as required by law or when deemed medically necessary or reasonable for a family, medical, or parental leave under this section. An intermittent leave schedule must be reviewed and approved by the Human Resources Office, or designee in advance of the intermittent leave, or as soon as practicable, in coordination with the employee and the employee's department director or supervisor. An employee should make a reasonable effort to schedule intermittent leave so as not to disrupt unduly the operations and legislative needs of the employer when possible.

- The employee's supervisor, Human Resources Office, or designee must inform an employee when any unpaid or paid family, medical, or parental leave is approved, and provide information about continuation of benefits, if applicable.

No Retaliation or Interference:

- An appointing authority or designee shall not retaliate against, or otherwise interfere with an employee's request or use of PFML as required under § 268B.09, or a period of leave or accommodation under §181.939, 181.941, or another leave or benefit under this Plan. An employee who believes their employer is violating the employment protections under the law may contact the Labor Standards Division at the Minnesota Department of Labor and Industry.

Accrual Rates

- Accrual of vacation and sick leave benefits and length of service shall continue during a family, medical, or parenting leave with pay or if the employee is receiving SSL at employee's scheduled rate. If an employee is granted leave without pay, including an unpaid period of PFML, the employee will not be credited with vacation, sick or length of service accruals for the period of leave without pay. Accruals will automatically resume upon an employee's return to paid status.

LEAVES OF ABSENCE (continued)

Paid Family, Medical, or Parental Leave Use

An employee must use a period of paid family, medical, or parental leave under this section for its intended purpose and not for vacation, volunteer activities, or other employment, unless expressly allowed by the appointing authority or allowed under the enabling leave law.

Family, Medical and Parental Leaves – Mandatory

The appointing authority **must grant** a leave of absence for the following family, medical and parental reasons, as required by law and this Plan, and subject to paragraph H:

- A. **Minnesota Paid Leave Law (PFML):** Starting January 1, 2026, up to 12 weeks of partial wage replacement and job protected family or medical leave, or up to 20 weeks total for both, in an employee’s benefit year for a qualifying reason, including the following:
 - 1. you or your family member’s serious health condition;
 - 2. your pregnancy, prenatal care, childbirth, and recovery;
 - 3. bonding time with a new child;
 - 4. qualifying exigency due to a military family member’s call to active duty; or
 - 5. a safety-related issue for you or a family member.

PFML is administered by DEED’s Minnesota Paid Leave division and benefits are paid from the state PFML fund, not by the employer. An employee’s application for or receipt of PFML is not a claim against the employer, nor should it be construed to create any claim against the appointing authority or the Legislature as an employer.

- 1. **Certification.** For a leave requested under paragraph A, an employee’s appointing authority, Human Resources Office, or designee may request and rely on documentation submitted to or provided by DEED’s Paid Leave division to confirm the employee’s PFML eligibility, length of leave, and amount of benefits, and to administer other leaves and benefits under this Plan, including any supplemental benefits – if offered.
- 2. **Intermittent Leave Schedule.** In addition to the requirements described in the Family, Medical and Parental Leave Notice of Leave and Approval of Leave paragraphs above a qualified period of PFML may be taken intermittently, as allowed under Minnesota Statutes, § 268B.085, subdivision 3. An appointing authority must approve an intermittent PFML leave schedule for up to 480 hours in the employee’s benefit year and retains discretion to approve more than 480 hours in the employee’s benefit year. The

LEAVES OF ABSENCE (continued)

appointing authority may establish a minimum increment of intermittent leave allowed, not to exceed at most one calendar day.

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- 3. **Interaction with Other Leave.** A continuous or intermittent PFML leave runs concurrently with any paid or unpaid leave taken for the same purpose or occurrence under PFML, this Plan, or another law, to the extent outlined under paragraph H. The following information on PFML is provided under Minnesota Statutes, § 268B.26.
-

Paid Family and Medical Leave or Minnesota Paid Leave (PFML)

Who do I contact for more information, including eligibility, benefits, and how to apply?

Minnesota Paid Leave

180 E 5th St, Suite 1200

Saint Paul, MN 55101

Phone: 651-556-7777

Website: paidleave.mn.gov

More details can be found in the Minnesota Paid Leave poster, also attached in Appendix XX.

-
- 4. **Who is eligible?** Legislative employment is covered under the PFML Law. Eligibility is reviewed and determined by the Minnesota Paid Leave division. *Only DEED can advise you of your eligibility or estimated benefits.* To be eligible an employee must earn at least \$3,900 in their benefit year, work in Minnesota at least 50% of the time, be unable to work due to a qualifying reason for the required seven-day period (for all leaves other than bonding) and meet certification and notice requirements for DEED and their employer. Minnesota Statutes, § 268B.06, subdivision 1.
- 5. **How do I apply?** Detailed information on how to apply will be provided by DEED's Paid Leave division closer to the January 1, 2026 start date. You can sign up for updates at Paid Leave updates for Individuals and Families or visit the Individual and Families webpage for more information.
-
- 6. **What employment protections apply for PFML?** An employee on approved PFML leave must: (1) be restored to the same or equivalent position, including any pay or benefits, upon their return from leave – effective 90 days from hire by law; (2) continue to receive health coverage for the employee's current group insurance election with the employer portion paid; (3) receive length of service for MSRS vesting and eligibility purposes but do not receive service credit. An employee wishing to buyback service credit must pay back both the employee and employer contributions, as required under Minnesota Statutes § 352.017; and (4) an employer must not retaliate against or otherwise

LEAVES OF ABSENCE (continued)

interfere with an employee's request or use of PFML leave and benefits. For a suspected violation, you may contact the Labor Standards Division at the Minnesota Department of Labor and Industry.

- **7. What is the PFML premium?** PFML is funded by employer and employee paid premiums. By law, the appointing authority must pay 50% of the premium (or 0.44% starting in 2026). The employer may deduct the other half from employees' wages or choose to pay up to 100% of the premium (or 0.88% starting in 2026). Each appointing authority determines the portion of the premium rate for their employees, not to exceed 50% by law.

PFML Premium Rate.

- Each appointing authority sets the premium rate for their employees. Appointing authorities must notify employees of the starting premium rate effective January 1, 2026, if any, no later than December 1, 2025.

- **8. Does the Legislature offer Supplemental Benefits?** By law, during an approved PFML leave, an employee receives partial wage replacement. This is a portion of their usual weekly wage, but not the full amount, as determined by DEED. Lower wage earners will receive a bigger percentage of their pay up to the weekly maximum of \$1,423 (adjusted yearly under the law). DEED's Paid Leave website has a PFML payment calculator to estimate weekly benefits based on income.

- To make up the difference in wages during a PFML leave, an employer *may choose* to offer optional supplemental benefits payments or other wage replacement, as defined in Minnesota Statutes § 268B.01, subdivision 41. See the following page for more information.

Supplemental Benefits (OPTIONAL).

- Each appointing authority must notify employees of any supplemental benefits offered to employees during an approved PFML leave no later than December 1, 2025. Each appointing authority retains the discretion to offer (or not offer) supplemental benefit payments. If offered, the appointing authority determines the process for employees to request and accept supplemental benefits, subject to the requirements under the PFML Law and this Plan.

- **Supplemental Benefit Payment Requirements: If offered, the following requirements apply to supplemental benefit payments:**

LEAVES OF ABSENCE (continued)

- 1. Supplemental benefits may be offered to regular employees only. Temporary and former employees are not eligible. Supplemental benefits expire at the end of employment and do not impact severance payouts in section ____.
- 2. The following may be designated by the appointing authority as a supplemental benefit payment: employee's accrued vacation, sick, compensatory time, non-exempt overtime, prior worked holiday, paid parental leave, or other paid time off earned or donated under this Plan or the appointing authority's policy. Sick and vacation leave bank hours must not be designated as a supplemental benefit.
- 3. An appointing authority may set the minimum increment of time for use, not to exceed one calendar day by law. That means 8 hours for a regular full-time or salary employee, or the number of hours worked on typical workday for a part-time or percentage-based employee, if less.
- 4. The choice to request and take supplemental benefits is the employee's alone. By law, the total amount of PFML benefits, combined with supplemental benefits, and other payments shall not exceed the employee's usual salary. If the employee receives payments in excess of their usual salary, the employee must refund the excess to either the employer or the Paid Leave division at DEED in the amount determined by DEED.
- 5. Nothing in this Plan should be construed as requiring an appointing authority to provide or guaranteeing that an employee will be offered or receive wage replacement or supplemental benefits payments.
- 9. **What is my employer's address and identification number for PFML?**
- Please contact your Human Resources Department for your employer's 1) name, 2) mailing address, and 3) PFML identification (account) number for the purpose of PFML.
- 10. **Additional Benefits.** Nothing in this Plan requires or prohibits an appointing authority from offering additional leave benefits, or a leave-related policy or protection that meets or exceeds, and does not otherwise conflict with, the minimum standards and requirements under PFML or this Plan. Minnesota Statutes, § 268B.27.

B. Paid Parental Leave (Maternity/Paternity/Adoption): For regular employees, paid leave ~~to bond with the child~~ up to 240 hours, as prorated based on whether the employee's schedule is full-time or part-time, following the birth or adoption of a dependent child, ~~or~~ when a child is placed in the employee's home to adjudicate

LEAVES OF ABSENCE (continued)

parentage in cases of surrogacy when the employee is the intended parent, or following the stillbirth (as defined to be reported under Minnesota Statutes § 144.222) stillbirth or death of a dependent child within the time period an employee would otherwise be eligible to use Paid Parental Leave. This leave mustis to be taken within the time period an employee would otherwise be eligible to use Parental Leave under Paragraph A. one year after the child's birth or arrival in the home. Paid Parental Leave may be taken as a supplemental benefit payment during an approved period of PFML, if offered by the appointing authority. This leave runs concurrently with any paid or unpaid leave taken for the same purpose or occurrence under PFML, this Plan, or another law, to the extent outlined under paragraph H. that parents may be entitled under this plan or provided by law.

C. Unpaid Parental Leave (Maternity/Paternity/Adoption/Foster Care): Unpaid Leave up to six months to a biological parent, adoptive parent, or foster parent who requests leave in conjunction with the birth, adoption, or placement of a new child. This leave must be taken within twelve months of the birth, adoption or placement of the child, or within twelve months after the child leaves the hospital, in cases where the child must remain in the hospital longer. Leave may be extended up to one year with advanced written approval of the employee's department director and Director of Human Resources, in coordination with the employee by mutual consent between the employee and the appointing authority. (This leave may be used in addition to other leave provided in this plan.)

An employee may take up to 12 weeks of Parental Leave as bonding leave under Minnesota Statutes, § 181.941, subdivision 1, paragraph (a)(1) to maintain coverage for the employee's current group insurance election with the employer's contribution paid. The employee remains responsible for paying the employee portion. All rights and protections provided under § 181.941 apply. This leave runs concurrently with any paid or unpaid leave taken for the same purpose or occurrence under PFML, this Plan, or another law, to the extent outlined under paragraph H.

For a leave requested under paragraphs B or C, the employee's Human Resources Office or designee may request reasonable documentation of the need for and start of paid or unpaid parental leave, including a birth certificate under Minnesota Statutes, § 144.215, a certificate under Minnesota Statutes § 144.222, adoption papers or placement documentation for the child. If paid parental leave is provided at the time of notice, the employee may be required to provide supporting documentation within a reasonable time frame. If an employee does not provide the documentation, other applicable leave(s) may need to be substituted.

A regular employee may take Caretaker, Pregnancy and Medical Leave as parenting leave for up to 12 weeks, which would permit the employee to continue to receive the employer contribution for insurance under Paragraph D.

LEAVES OF ABSENCE (continued)

D. Pregnancy-Related Leave: Unpaid leave up to 12 weeks for an eligible employee's own prenatal care or incapacity due to pregnancy, childbirth, or related health conditions, as required under Minnesota Statutes, § 181.941, subdivision 1, paragraph (a)(2). Coverage for the employee's current group insurance election must be maintained with the employer's contribution paid during the leave. The employee remains responsible for paying the employee portion. This leave must not be reduced by time taken for prenatal care medical appointments. All rights and protections in Minnesota Statutes § 181.941 apply. This leave runs concurrently with any paid or unpaid leave taken for the same purpose or occurrence under PFML, this Plan, or another law, to the extent outlined under paragraph H.

E. Pregnancy-Related Accommodation: The Legislature provides reasonable accommodations to an employee for health conditions related to pregnancy and childbirth if requested, up to and including an unpaid leave of absence, unless the accommodation would impose an undue hardship on the operations of the Legislature, as required by Minnesota Statutes § 181.939, subdivisions 2. Coverage for the employee's current group insurance election must be maintained with the employer's contribution paid. The employee remains responsible for paying the employee portion.

Accommodations may include: more frequent or longer breaks, seating, limits to heavy lifting, temporary transfer to another position, temporary leave of absence or modification in work schedule or tasks. An employer cannot require an employee to take a leave or accept an accommodation, and all rights and protections under Minnesota Statutes § 181.939, subdivisions 2 and 3 apply. This leave does not run concurrently with PFML, unless otherwise permitted by law. This leave may run concurrently with a period of leave or accommodation granted for the same purpose or occurrence under the ADA or MHRA, or as otherwise permitted by law.

A. Caretaker, Pregnancy and Medical Leave: Leave up to 12 weeks with the employer contribution of health insurance paid for eligible employees for:

- ~~1. the birth of a child and to care for that child,~~
- ~~2. the placement of a child for adoption or foster care and to care for that child,~~
- ~~3. for a serious health condition that makes the employee unable to perform the employee's job,~~
- ~~4. to care for a family member listed under sick leave use (paragraph C on page 18), or~~
- ~~5. for an employee for prenatal care, or incapacity due to pregnancy, childbirth or related health condition.~~

~~Caretaker, Pregnancy and Medical Leave may be taken intermittently or on a reduced~~

LEAVES OF ABSENCE (continued)

~~schedule if medically necessary. Human Resources may require an employee to furnish a statement from a medical practitioner or reasonable documentation that supports the need for a leave of more than three consecutive days. For reasons, 3, 4, and 5, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using or used Caretaker, Pregnancy or Medical leave for a qualifying purpose.~~

~~If an employee is using leave under this section for themselves, Human Resources may also require this statement to provide information on when the employee will be able to return to work, including any restrictions on the employee's return to work. Up to 12 weeks may be taken only once in each calendar year. See also "Parental Leave" on page 34. A covered military service member or person caring for a covered military service member may also take Military Service Member Leave provided that the leaves are not combined for the same occurrence.~~

~~Leave taken under reasons 1 or 2 must begin within twelve months of the birth or adoption, except that, in cases where the child must remain in the hospital longer than the employee, the leave must begin within twelve months after the child leaves the hospital. Caretaker, Pregnancy and Medical Leave is not reduced by any period of leave taken for prenatal care medical appointments.~~

~~An employee may receive the employer contribution for health insurance for up to 12 weeks of unpaid Caretaker, Pregnancy and Medical Leave. During this leave employees are responsible for paying any part of the insurance premium that would regularly be deducted from their pay. For more information, contact your Human Resources Office.~~

~~An employee is not required to take leave or accommodation due to pregnancy.~~

~~Under Minnesota Statutes § 181.941, subd. 3, an appointing authority may not retaliate against an employee for using leave for a pregnancy or parenting leave.~~

F. Disability Leave: ~~Unpaid~~ Leave up to one year to any regular employee who, because of an extended illness or injury, has exhausted the employee's accumulation of sick leave balance and bank. (Upon the request of the employee, the leave may be extended.) An employee's Human Resources Office or Human Resources dDesignee may require an employee to furnish a statement from a medical practitioner that supports the need for the leave. An employee's Human Resources Office or Human Resources dDesignee may require this statement to provide information on when the employee will be able to return to work, including any restrictions on the employee's return to work. An employee who becomes disabled while on another type of leave of absence may apply for and

LEAVES OF ABSENCE (continued)

receive disability leave status, so the employee becomes eligible for disability pension.

G. Other Medical Leave: Unpaid leave up to 12 weeks with the employer contribution of health insurance paid for eligible employees: (1) for a serious health condition that makes the employee unable to perform the employee's job; or (2) to care for the serious health condition of a family member.

- For the purposes of this paragraph, family member has the meaning given in Death of a Family Military Member Paragraph C under the Leave of Absence section. A serious health condition has the meaning given in Minnesota Statutes, § 268B.01, subdivision 39 and also includes any other condition agreed to by the appointing authority and employee. Employees may not combine this leave with Military Caretaker Leave under this Plan for the same occurrence. PFML leave taken for the same occurrence under Paragraph A may reduce leave under this section and will run concurrently so that the total amount of leave under this paragraph does not exceed 12 weeks total. This leave also runs concurrently with any paid or unpaid leave taken for the same purpose or occurrence under this Plan or another law, to the extent outlined under paragraph H.

- For a period of medical, disability, pregnancy, or related condition leave or accommodation under Paragraphs C, D, E, F, or G, an employee's Human Resources Office or Human Resources Designee may require an employee to furnish a statement from a medical practitioner that supports the need for the leave of more than two consecutive scheduled work days or a reasonable request for an intermittent leave schedule. If the employee or employee's family member did not receive services from a health care professional, or if such documentation cannot be obtained in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the leave is for a qualifying purpose. If the employee is taking a leave for themselves, Human Resources may also require a statement from a medical practitioner as to when the employee will be able to return to work, including any restrictions on the employee's return to work.

- **H. Leave Interaction:**

Subject to all Plan Requirements and limitations under the Family, Medical and Parental Leave section, and to the greatest extent allowed by law, any period of leave taken under the PFML law or for the same purpose or occurrence as the PFML law, including a Family, Medical or Parental leave described in paragraphs A, B, C, D, and G, a salary savings leave or supplemental benefit payment (if offered) taken during a period of approved PFML leave, a Leave of Absence described under paragraphs E and F, or any combination of leaves thereof, will run concurrently, so that the total amount of leave or combination of leaves does not exceed 26 weeks total in an employee's benefit year

LEAVES OF ABSENCE (continued)

(unless an extension is granted as provided under this Plan). This limit **does not** include prenatal medical care appointments, which do not reduce a period of leave described under this Plan.

Reinstatement After Leave

Subject to a contrary term under which a leave was granted, or subject to reorganization by the appointing authority, an employee returning from an approved family, medical, or parental leave under this section shall be entitled to return to employment in the employee's former position or a position of comparable duties and pay plus any automatic salary adjustments that would have been made had the employee been continuously employed during the period of absence. All notice, return from leave, and separation provisions in the Reinstatement After Leave paragraph under the Leave of Absence section also apply to a Family, Medical, or Parental Leave under this section.

INSURANCE

SECTION 1. STATE EMPLOYEE GROUP INSURANCE PROGRAM (SEGIP). During the life of this Plan, the Employer agrees to offer a Group Insurance Program that includes health, dental, life, vision and disability coverages equivalent to existing coverages, subject to the insurance eligibility and employer contributions provisions of this Plan. Coverage will be provided through the State Employee Group Insurance Program (SEGIP), except as otherwise provided by action of the LCC. If there is any discrepancy between this Plan's description of insurance coverage and the insurance coverage the SEGIP plan provides, the latter governs, unless the LCC has explicitly chosen to adopt a variation from the SEGIP plan. Information on the State Employee Group Insurance Program is found on the Minnesota Management and Budget Web site at: <https://mn.gov/mmb/segip/>

Beginning in the 2011 plan year, employees and members may participate in the high deductible health plan and health savings account offered as a voluntary alternative to the Minnesota Advantage Health Plan.

All insurance eligible employees will be provided access to an electronic summary of benefits (SOB) or certificate of coverage (COC) for each insurance product. These documents shall be provided no less than biennially and prior to the beginning of the insurance year.

SECTION 2. ELIGIBILITY FOR GROUP PARTICIPATION. This section describes eligibility to participate in the Group Insurance Program.

- A. **Employees - Basic Eligibility.** Employees may participate in the Group Insurance Program if they are scheduled to work at least 1044 hours in any 12 consecutive months, except for (1) emergency, or temporary classified or intermittent employees; (2) student workers; and (3) interns.
- B. **Employees - Special Eligibility.** The following employees are also eligible to participate in the Group Insurance Program:
 - 1. **Employees with a Work-related Injury/Disability.** An employee who was off the legislative payroll due to a work-related injury or a work-related disability may continue to participate in the Group Insurance Program as long as such an employee receives workers' compensation payments or while the workers' compensation claim is pending.
 - 2. **Totally Disabled Employees.** Consistent with Minnesota Statutes § [62A.148](#), certain totally disabled employees may continue to participate in the Group Insurance Program.
 - 3. **Separated Employees under § 43A.27.** Pursuant to Minnesota Statutes § [43A.27](#) subd. 3, paragraph (a), clause (1), an employee who separates or retires from legislative service, and who at the time of separation has five or more years of allowable pension service and is entitled to immediately receive an annuity under a State retirement program and who is not eligible for regular (non-disability) Medicare

INSURANCE (continued)

coverage may continue to participate in the health and dental coverages offered through the Group Insurance Program.

Consistent with Minnesota Statutes § [43A.27](#), subd. 3, paragraph (a), clause (2), an employee who separates or retires from legislative service and who, at the time of separation is at least fifty years of age and at least fifteen years of State service may continue to participate in the health and dental coverages offered through the Group Insurance Program. Retiree coverage must be coordinated with Medicare.

4. **Employees on Unpaid Leave of Absence.** Employees on an approved leave of absence may enroll in such coverages at their own expense for a period of one year.
5. **Temporary Employees.** Temporary employees who are appointed for a period of no less than four months and who are scheduled to work no less than 50 percent of the normal work week may enroll in the hospital and medical coverages provided by this Plan at their own expense.

C. **Eligible Dependents.** For the purpose of this Plan, eligible dependents are:

1. **Spouse.** The spouse of an eligible employee (if legally married under Minnesota law). For the purposes of health insurance coverage, if that spouse works full-time for an organization employing more than 100 people and
 - a. elects to receive either credits or cash in place of health insurance or health coverage or towards some other benefit in place of health insurance, then they are not eligible for the comparable coverage or insurance under this article; or
 - b. is enrolled in a high deductible medical insurance plan (as defined by the IRS) that includes a contribution to a healthcare savings account (HSA) through their employing organization, then they are not eligible for medical coverage under this article.

When both spouses work for the State or another organization participating in the State Employee Group Insurance Program, a spouse may be covered as a dependent by the other but when covered as a dependent they may not carry their own coverage (members may only be covered once).

2. **Children.**

- a. **Health and Dental Coverages:** A dependent child is an eligible employee's child to age twenty-six.
- b. **Dependent Child:** A "dependent child" includes an employee's (1) biological child, (2) child legally adopted by or placed for adoption with the employee, (3) step-child, ~~and~~ (4) foster child, (5) child by legal guardianship, and (6) child by placement to employee, who is a relative of the child, as established by court judgement, order or decree ~~who has been placed with the employee by an authorized placement agency or by judgment decree, or other court order~~. For a step-child to be considered a dependent child, the employee must be legally

INSURANCE (continued)

married to the child's legal parent or legal guardian. For a foster child to be considered a dependent child under this plan, the foster child must be placed with the employee or the employee's spouse by an authorized placement agency or by judgement, decree, or other court order. For a child by legal guardianship or placement to be considered a dependent child under this plan, the child's legal relationship with the employee must be established by a court judgement, decree, or other court order. A dependent child is generally eligible to age 26, unless the child's status as a dependent child ceases at an earlier date, such as the expiration of a court order or decree. An employee (or the employee's spouse or jointly) must have permanent, full and sole legal and physical custody of the foster child.

- c. **Coverage Under Only One Plan:** For purposes of (a) and (b) above, if the employee's adult child (age eighteen) to twenty-six works for the state or another organization participating in the State's Group Insurance Program, the child may not be covered as a dependent by the employee unless the child is not eligible for a full Employer contribution as defined in Section 3A.

Effective January 1, 2015, for purposes of (a) and (b) above, if the employee's adult child (age 18 to 26) works for the State or another organization participating in the State's Group Insurance Program, the child may be covered as a dependent by the employee.

3. **Grandchildren.** A ~~dependent~~ grandchild of an employee, up to age twenty-five (25), is an eligible ~~employee's unmarried~~ dependent grandchild who:

- a. ~~is~~ financially dependent upon the employee for principal support and maintenance and has resided with the employee continuously from birth. A grandchild of an employee is also an eligible dependent if the grandchild is claimed as a tax dependent on the employee's tax return. ~~or~~
- ~~b. Resides with the employee and is dependent on the employee for principal support and maintenance and is the child of the employee's unmarried child (the parent) to age nineteen.~~

If a grandchild is legally adopted or placed in the legal custody of the grandparent, they are covered as a dependent child under C2 above, item b, subitems (2) or ~~and~~ (4).

4. **Child with a Disability.** A dependent child with a disability is an eligible employee's child or grandchild regardless of marital status, who was covered and then disabled prior to the limiting age or any other limiting term required for dependent coverage and who continues to be incapable of self-sustaining employment by reason of developmental disability, mental illness or disorder, or physical disability, and is chiefly dependent upon the employee for support and maintenance, provided proof of such incapacity and dependency must be furnished to the health carrier by the

INSURANCE (continued)

employee or enrollee within thirty one days of the child's attainment of the limiting age or any other limiting term required for dependent coverage. The dependent with a disability is eligible to continue coverage as long as s/he continues to be disabled and dependent, unless coverage terminates under the contract.

5. **Qualified Medical Child Support Order.** A child who would otherwise meet the eligibility requirements and is required to be covered by a Qualified Medical Child Support Order (QMCSO) is considered an eligible dependent.
 6. **Child Coverage Limited to Coverage Under One Employee.** If both spouses work for the State or another organization participating in the State's Group Insurance Program, either spouse, but not both, may cover the eligible dependent children or grandchildren. This restriction also applies to two divorced, legally separated, or unmarried employees who share legal responsibility for their eligible dependent children or grandchildren. A member in the State's Group Insurance benefits may only be covered once, by one parent or guardian.
- D. **Continuation Coverage.** Consistent with state and federal laws, certain employees, former employees, dependents, and former dependents may continue group health, dental, and/or life coverage at their own expense for a fixed length of time. As of the date of the adoption of this Plan, state and federal laws allow certain group coverages to be continued if they would otherwise terminate due to:
- a. termination of employment (except for gross misconduct);
 - b. layoff;
 - c. reduction of hours to an ineligible status;
 - d. dependent child becoming ineligible due to change in age, student status, marital status, or financial support (in the case of a foster child or stepchild);
 - e. death of employee;
 - f. divorce or legal separation; or
 - g. a covered employee's enrollment in Medicare.

See Appendix A for more details.

INSURANCE (continued)

SECTION 3. ELIGIBILITY FOR EMPLOYER CONTRIBUTION. This section describes eligibility for regular employees for an Employer Contribution toward the cost of coverage.

A. Full Employer Contribution - Basic Eligibility. Employees covered by this Plan who are scheduled to work at least seventy-five percent of the time are eligible for the full Employer Contribution. This means:

1. Employees who are scheduled to work at least 80 hours per pay period for a period of nine months or more in any 12 consecutive months.
2. Employees who are scheduled to work at least 30 hours weekly for a 12 consecutive month period, but excluding part-time employees serving on less than a 75 percent basis.
3. Employees who are scheduled to work at least 75 percent of the time averaged over a 12 consecutive month period.

B. Partial Employer Contribution - Basic Eligibility. Employees who are scheduled to work at least 50 percent of the time but less than 75 percent of the time receive the full Employer Contribution for basic life coverage, and at the employee's option, a partial Employer Contribution for health and dental coverages. This means:

1. Employees who hold part-time appointments and who are scheduled to work at least 40 hours but less than 60 hours per pay period for 12 consecutive months.
2. Employees who hold part-time or seasonal appointments and who are scheduled to work at least 1044 hours over a period of any 12 consecutive months.
3. Employees who are scheduled to work at least 50 percent but less than 75 percent of the time, averaged over a 12 consecutive month period.

The partial Employer Contribution for health and dental coverages is 75 percent of the full Employer Contribution for both employee only and dependent coverage.

Employees who have a work schedule change and are less than full-time may be eligible for a partial or full employer contribution based on federal and state guidelines and the actual number of hours worked.

C. Special Eligibility. The following employees also receive an Employer Contribution:

1. **Work-related injury/disability.** An employee who receives an Employer Contribution and who is off the legislative payroll due to a work-related injury or a work-related disability remains eligible for an Employer Contribution as long as such an employee receives workers' compensation payments. If such employee ceases to receive workers' compensation payments for the injury or disability and is granted a medical leave that employee shall be eligible for an Employer Contribution during that leave.

INSURANCE (continued)

2. **Employees terminated for a reason other than cause.** An employee who receives an Employer Contribution for health, dental and life insurance, who has three or more years of continuous state service, and who has been terminated for a reason other than for cause, remains eligible for an Employer Contribution and all other benefits provided under the Insurance Chapter for an extended benefit eligibility period of six months from the date of termination. An employee is eligible for this benefit if the employee is terminated because of abolition of the employee's position, shortage of work or funding, a management-imposed reduction in a full-time employee's normal work hours which continues longer than two consecutive weeks, or other reason outside the employee's control. Any employee who has voluntarily requested and received appointing authority approval to reduce the employee's work hours shall not be considered to have been terminated. Rehire to a temporary position will not extend this period.

In no event shall an extended benefit eligibility period be longer than a total of six months. Further, an employee must be receiving an Employer Contribution under Section 3A or 3B at the time of layoff in order to be eligible for the six months continuation of insurance.

D. Maintaining Eligibility for Employer Contribution.

1. **General.** An employee who receives a full or partial Employer Contribution maintains that eligibility as long as the employee meets the Employer Contribution eligibility requirements, and appears on a legislative payroll for at least one full working day during each payroll period. This requirement does not apply to employees who are eligible for workers' compensation payments as described in Section 3C1, or to employees terminated for reasons other than for cause as described in 3C2.
2. **Unpaid Leave of Absence.** If an employee is on an unpaid leave of absence, then vacation leave, compensatory time, or sick leave cannot be used for the purpose of maintaining eligibility for an Employer Contribution by keeping the employee on a legislative payroll for one working day per pay period.
3. **Other Leaves.** An employee who is on an approved Caretaker, Pregnancy and Medical Leave, pregnancy or childbirth related medical leave under § 181.939, or on a Salary Savings Leave as provided elsewhere in this Plan maintains eligibility for an Employer Contribution.

INSURANCE (continued)

SECTION 4. AMOUNT OF EMPLOYER CONTRIBUTION. For employees eligible for an Employer Contribution as described in Section 3, the amount of the Employer Contribution will be determined as provided in this section.

A. Contribution Formula - Health Coverage.

1. **Employee Coverage.** For employee health coverage, the Employer contributes an amount equal to 95 percent of the employee-only premium of the Minnesota Advantage Health Plan (Advantage).
2. **Dependent Coverage.** For dependent health coverage for the 2024 and 2025 plan years, the Employer contributes an amount equal to 85 percent of the dependent premium of Advantage.

B. Contribution Formula - Dental Coverage.

1. **Employee Coverage.** For employee dental coverage, the Employer contributes 70 percent of the employee premium of the dental plan.
2. **Dependent Coverage.** For dependent dental coverage, the Employer 50 percent of the dependent premium of the dental plan.

- F. **Contribution Formula - Basic Life Coverage.** For employee basic life coverage and accidental death and dismemberment coverage, the Employer contributes 100 percent of the cost.

SECTION 5. COVERAGE CHANGES AND EFFECTIVE DATES.

A. When Coverage May Be Chosen.

1. **Newly hired employees.** All employees hired into insurance eligible positions must make benefit elections by their initial effective date of coverage as defined in this Chapter, Section 5C. Insurance-eligible employees will automatically be enrolled in basic life coverage. If employees eligible for a full Employer Contribution do not choose a health plan administrator and a primary care clinic by their initial effective date, and do not waive medical coverage, they will be enrolled in a Benefit Level Two clinic (or Level One, if available) that meets established access standards in the health plan with the largest number of Benefit Level One and Two clinics in the county of the employee's residence at the beginning of the insurance year. If an employee does not choose a health plan administrator and primary care clinic by their initial effective date but was previously covered as a dependent immediately prior to their initial effective date, they will be defaulted to the plan administrator and primary care clinic in which they were previously enrolled.

Newly hired employees may waive medical coverage prior to their initial effective date if they can provide documentation to SEGIP stating that enrolling in SEGIP

INSURANCE (continued)

coverage would cause them to lose eligibility for other medical coverage currently in effect.

2. **Eligibility changes.** Employees who become eligible for a full Employer Contribution must make their benefit elections within 30 calendar days of becoming eligible. If employees do not choose a health plan administrator and a primary care clinic, and do not waive medical coverage within this 30-day timeframe, they will be enrolled in a Benefit Level Two clinic (or Level One, if available) that meets established access standards in the health plan with the largest number of Benefit Level One and Two clinics in the county of the employee's residence at the beginning of the insurance year.

If employees who become eligible for a partial Employer Contribution choose to enroll in insurance, they must do so within 30 days of becoming eligible or during open enrollment.

3. **Waiving Medical Coverage.** Employees may choose to waive medical coverage. If employees are eligible for the full employer contribution and choose to waive medical coverage an employee must submit a Waiver of Medical Coverage form and provide proof of other coverage by the end of the employee's enrollment period. If an employee does not submit the form and proof by the end of the employee's enrollment period, the employee will be enrolled in medical coverage. If an employee waives medical coverage the employee can elect it again during the next Open Enrollment or midyear upon a permitted Qualified Life Event.

An employee may change the employee's health or dental plan if the employee changes to a new permanent residence, and the employee's current plan is no longer available. If the employee has family coverage and if the new residence location is outside of the current plan's service area, the employee shall be permitted to switch to a new plan administrator and new Benefit Level within 30 days of the residence location change. The election change must be due to and correspond with the change in status.

An employee or retiree may also change health or dental plans in any other situation in which the Employer is required by the applicable federal or state law to allow a plan change.

B. When Coverage May Be Changed or Canceled.

1. **Changes Due to a Life Event.** After the initial enrollment period and outside of any open enrollment period, an employee may elect to change health or dental coverage (including adding or canceling coverage) and any applicable employee contributions in the following situations (as long as allowed under the applicable provisions,

INSURANCE (continued)

regulations, and rules of the federal and state law in effect at the beginning of the plan year).

The request to change coverage must be consistent with a change in status that qualifies as a life event, and does not include changing health or dental plans, which may only be done under the terms of Section 5A above. Any election to add coverage must be made within 30 days following the event, and any election to cancel coverage must be made within 60 days following the event. (An employee and a retired employee may add dependent health or dental coverage following the birth of a child or dependent grandchild, or following the adoption of a child, without regard to the 30-day limit.) These life events (for both employees and retirees) are:

- a. A change in legal marital status, including marriage, death of a spouse, divorce, legal separation and annulment.
- b. A change in number of dependents, including birth, death, adoption, and placement for adoption.
- c. A change in employment status of the employee, or the employee's or retiree's spouse, or dependent, including termination or commencement of employment, a strike or lockout, a commencement of or return from an unpaid leave of absence, a change in worksite, and a change in working conditions of the employee (including changing between part-time and full-time or hourly and salaried), the employee's or retiree's spouse or dependent which results in a change in the benefits they receive under a cafeteria plan or a health or dental plan.
- d. A dependent ceasing to satisfy eligibility requirements for coverage due to attainment of age or otherwise no longer meets the eligibility requirements under Section 2C.
- e. A change in the place of residence of the employee, retiree or their spouse, or dependent that is not in the health plan service administrator's service area.
- f. Significant cost or coverage changes (including coverage curtailment and the addition of a benefit package).
- g. Family and Medical Leave Act (FMLA) leave (for employees of the Legislative Reference Library).
- h. Judgments, decrees, or orders.

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- i. A change in coverage of a spouse or dependent under another Employer's plan.
 - j. Open enrollment under the plan of another Employer.
 - k. Health Insurance Portability and Accountability Act (HIPAA) special enrollment rights for new dependents and in the case of loss of other insurance coverage.
 - l. A COBRA-qualifying event.
 - m. Loss of coverage under the group health plan of a governmental or educational institution (a State's children's health insurance program, medical care program of an Indian tribal government, State health benefits risk pool, or foreign government group health plan).
 - n. Entitlement to Medicare or Medicaid.
 - o. Any other situations in which the group health or dental plan is required by the applicable federal or state law to allow a change in coverage.
2. **Canceling Dependent Coverage During Open Enrollment.** In addition to the above situations, dependent health or dependent dental coverage may also be cancelled for any reason during the open enrollment period that applies to each type of plan (as long as allowed under the applicable provisions, regulations and rules of the federal and state law in effect at the beginning of the plan year).
3. **Canceling Employee Coverage.** A part-time employee may also cancel employee coverage within 60 days of when one of the life events set forth above occurs.
4. **Effective Date of Benefit Termination.** Medical, dental, and life coverage termination will take effect on the first of the month following the loss of eligible employee or dependent status. Disability benefit coverage terminations will take effect on the day following loss of eligible employee or dependent status.

C. Effective Date of Coverage.

1. Initial Effective Date.

The initial effective date of coverage under the Group Insurance Program is the 30th day following the employee's first day of employment, re-hire, or reinstatement with the Legislature (i.e., the 31st day of employment, reemployment, or reinstatement). The initial effective date of coverage for an employee whose eligibility has changed is the date of the change, provided the employee has completed their first 30 days of work. An employee must be actively at work on the initial effective date of coverage, except that an employee who is on paid leave on the date State-paid life insurance benefits increase is also entitled to the increased life insurance coverage. In no event

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shall an employee's dependent's coverage become effective before the employee's coverage.

If an employee is not actively at work due to employee or dependent health status or medical disability, medical and dental coverage will still take effect. (Life and disability coverage will be delayed until the employee returns to work.)

D. Delay in Coverage Effective Date.

- a. **Basic Life.** If an employee is not actively at work on the initial effective date of coverage, coverage will be effective on the first day of the employee's return to work. The effective date of a change in coverage is not delayed in the event that, on the date the coverage change would be effective, an employee is on an unpaid leave of absence or layoff.
- b. **Medical, Dental, and Vision.** If an employee is not actively at work on the initial effective date of coverage due to a reason other than hospitalization or medical disability of the employee or dependent, medical, dental, and vision coverage will be effective the first day of the employee's return to work.

The effective date of a change in coverage is not delayed in the event that, on the date the coverage change would be effective, an employee is on an unpaid leave of absence or layoff.

- c. **Optional Life and Disability Coverages.** In order for coverage to become effective, the employee must be in active payroll status and not using sick leave on the first day following approval by the insurance company. If it is an open enrollment period, coverage may be applied for but will not become effective until the first day of the employee's return to work.

E. Open Enrollment.

- a. **Frequency and Duration.** There shall be an open enrollment period for health and dental coverage in 2026 and 2027~~each year of this Plan, and for dental coverage in the first year of this Plan.~~ Open enrollment periods shall last a minimum of 14 calendar days each year of this Plan. Open enrollment changes become effective on January 1 of 2026 and 2027~~each year.~~ Subject to a timely plan settlement, the Employer shall make open enrollment materials available to employees at least fourteen days prior to the start of the open enrollment period.

Open enrollment may be suspended at the discretion of the Commissioner of Minnesota Management and Budget if, by October 15 of any insurance year, this Chapter or a negotiated insurance article has not been ~~approved~~implemented in accordance with Minnesota Statutes § 43A.18, subd. 2.

INSURANCE (continued)

- b. **Eligibility to Participate.** An employee eligible to participate in the State Employee Group Insurance Program, as described in Sections 2A and 2B, may participate in open enrollment. In addition, a person in the following categories may, as allowed in section 5D1 above, make certain changes: (1) a former employee or dependent on continuation coverage, as described in Section 2D, may change plans or add coverage for health and/or dental plans on the same basis as active employees; and (2) an early retiree, prior to becoming eligible for Medicare, may change health and/or dental plans as agreed to for active employees, but may not add dependent coverage.
- c. **Materials for Employee Choice.** Each year prior to open enrollment, the appointing authority will give eligible employees the information necessary to make open enrollment selections. Employees will be provided a statement of their current coverage each year of the plan.
- d. **Coverage Selection Prior to Retirement.** An employee who retires and is eligible to continue insurance coverage as a retiree may change the employee's health or dental plan during the 60 calendar day period immediately preceding the date of retirement. The employee may not add dependent coverage during this period. The change takes effect on the first day of the month following the date of retirement.

SECTION 6. BASIC COVERAGES.

A. Employee and Family Health Coverage.

- 1. **Minnesota Advantage Health Plan (Advantage).** The health coverage portion of the State Employee Group Insurance Program is provided through the Minnesota Advantage Health Plan (Advantage), a self-insured health plan offering four Benefit Level options. Provider networks and claim administration are provided by multiple plan administrators. Coverage offered through Advantage is determined by Section 6A2.
- 2. **Coverage Under the Minnesota Advantage Health Plan.** Effective January 1, 2026⁴ Advantage will cover eligible services subject to the copayments, deductibles and coinsurance coverage limits stated. Services provided through Advantage are subject to the managed care procedures and principles, including standards of medical necessity and appropriate practice, of the plan administrators. Coverage details are provided in the Advantage Summary of Benefits.
 - a. **Benefit Options.** Employees must elect a plan administrator and primary care clinic. Those elections will determine the Benefit Level through Advantage. Enrolled dependents must elect a primary care clinic that is available through the plan administrator chosen by the employee.

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- 1) **Plan Administrator.** Employees must elect a plan administrator during their initial enrollment in Advantage and may change their plan administrator election only during the annual open enrollment and when permitted under Section 5. Dependents must be enrolled through the same plan administrator as the employee.
- 2) **Benefit Level.** The primary care clinics available through each plan administrator are assigned a Benefit Level. The Benefit Levels are outlined in the benefit chart below. Primary care clinics may be in different Benefit Levels for different plan administrators. Family members may be enrolled in clinics that are in different Benefits Levels. Employees and their dependents may change to clinics in different Benefit Levels during the annual open enrollment. Employees and their dependents may also elect to move to a clinic in a different Benefit Level within the same plan by calling their plan administrator, with changes. Unless the individual has a referral from the individual's primary care clinic, there are no benefits for services received from providers in Benefit Levels that are different from that of the primary care clinic in which the individual has enrolled.
- 3) **Primary Care Clinic.** Employees and each of their covered dependents must individually elect a primary care clinic within the network of providers offered by the plan administrator chosen by the employee. Employees and their dependents may elect to change clinics within their clinic's Benefit Level as often as the plan administrator permits and as outlined above.

4) Advantage Benefit Chart for Services Incurred During Plan Years 2026⁶⁴ and 2027⁷⁵.

<u>2026 and 2027 Benefit Provision</u>	<u>Benefit Level 1 Member pays:</u>	<u>Benefit Level 2 Member pays:</u>	<u>Benefit Level 3 Member pays:</u>	<u>Benefit Level 4 Member pays:</u>
<u>MEDICAL SERVICES</u>	-	-	-	-
<u>Deductible Single/Family</u>	<u>\$250/\$500</u>	<u>\$400/\$800</u>	<u>\$750/\$1,500</u>	<u>\$1,500/\$3,000</u>
<u>Copays for office visit and urgent care No cost-sharing for preventive services</u>	<u>\$35</u>	<u>\$40</u>	<u>\$70</u>	<u>\$90</u>
<u>Copays for mental health office visits Deductible does not apply for levels 1 and 2</u>	<u>\$0</u>	<u>\$0</u>	<u>\$40</u>	<u>\$60</u>
<u>Convenience clinics and online care Deductible does not apply</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

INSURANCE (continued)

<u>Copays for emergency room visit</u> <u>Deductible does not apply</u>	<u>\$100</u>	<u>\$125</u>	<u>\$150</u>	<u>\$350</u>
<u>Inpatient admission</u> <u>Deductible applies first</u> <u>Costs waived for admission to Center of Excellence</u>	<u>\$100 copay</u>	<u>\$200 copay</u>	<u>\$500 copay</u>	<u>25% coinsurance</u>
<u>Outpatient surgery</u> <u>Deductible applies first</u>	<u>\$60 copay</u>	<u>\$120 copay</u>	<u>\$250 copay</u>	<u>25% coinsurance</u>
<u>Coinsurance for MRI/CT scan services</u> <u>Deductible applies first</u>	<u>10%</u>	<u>15%</u>	<u>25%</u>	<u>30%</u>
<u>Coinsurance for services NOT subject to copays</u> <u>Deductible applies first</u>	<u>5%</u>	<u>5%</u>	<u>20%</u>	<u>25%</u>
<u>Coinsurance for lab, pathology and X-ray not included as part of preventive care and not subject to office visit or facility copayments</u> <u>Deductible applies first</u>	<u>10%</u>	<u>10%</u>	<u>20%</u>	<u>25%</u>
<u>Coinsurance for durable medical equipment</u> <u>Deductible applies first</u>	<u>20%</u>	<u>20%</u>	<u>20%</u>	<u>25%</u>
<u>Maximum non-Rx out-of-pocket limit</u> <u>Single/Family</u>	<u>\$1,700/\$3,400</u>	<u>\$1,700/\$3,400</u>	<u>\$2,400/\$4,800</u>	<u>\$3,600/\$7,200</u>
<u>PRESCRIPTION DRUGS (Rx)</u>	-	-	-	-
<u>Copays for Rx</u> <u>No deductible</u>	<u>Tier 1: \$18</u> <u>Tier 2: \$30</u> <u>Tier 3: \$55</u>	<u>Tier 1: \$18</u> <u>Tier 2: \$30</u> <u>Tier 3: \$55</u>	<u>Tier 1: \$18</u> <u>Tier 2: \$30</u> <u>Tier 3: \$55</u>	<u>Tier 1: \$18</u> <u>Tier 2: \$30</u> <u>Tier 3: \$55</u>
<u>Maximum Rx out-of-pocket limit</u> <u>Single/Family</u>	<u>\$1,050/\$2,100</u>	<u>\$1,050/\$2,100</u>	<u>\$1,050/\$2,100</u>	<u>\$1,050/\$2,100</u>
2024 and 2025- Benefit Provision	Benefit Level 1 The member pays:	Benefit Level 2 The member pays:	Benefit Level 3 The member pays:	Benefit Level 4 The member pays:
Deductible for all services except drugs and preventive care (S/F)	\$250/500	\$400/800	\$750/1,500	\$1,500/3,000
Office visit copay/urgent care (copay waived for preventive services)	\$35 copay per visit and annual deductible applies	\$40 copay per visit and annual deductible applies	\$70 copay per visit and annual deductible applies	\$90 copay per visit and annual deductible applies

INSURANCE (continued)

2024 and 2025– Benefit Provision	Benefit Level 1 The member pays:	Benefit Level 2 The member pays:	Benefit Level 3 The member pays:	Benefit Level 4 The member pays:
Mental health office visit copay	\$0 not subject to the deductible	\$0 not subject to the deductible	\$50	\$70
In-Network Convenience Clinics and Online Care (deductible waived)	\$0	\$0	\$0	\$0
Emergency room copay	\$100 not subject to deductible	\$125 not subject to deductible	\$150 not subject to deductible	\$350 not subject to deductible Coinsurance to OOP maximum
Facility copays				N/A—subject to Deductible and 25% Coinsurance to OOP maximum N/A—subject to Deductible and 25% Coinsurance to OOP maximum
Per inpatient admission (waived for admission to Center of Excellence)	\$100	\$200	\$500	
Per outpatient surgery	\$60	\$120	\$250	
Coinsurance for MRI/CT scan services	10%	15%	25%	N/A—subject to Deductible and 30% Coinsurance to OOP maximum
* Coinsurance for services NOT subject to copays treatment for mental health and chemical dependency * Other diagnostic or treatment related	5% coinsurance and annual deductible applies	5% coinsurance and annual deductible applies	20% coinsurance and annual deductible applies	25% coinsurance and annual deductible applies
Coinsurance for lab, pathology and X-ray (not included as part of preventive care and not subject to office visit or facility copayments)	10% (90% coverage after payment of deductible)	10% (90% coverage after payment of deductible)	20% (80% coverage after payment of deductible)	25% for all services to OOP maximum after deductible
Coinsurance for durable medical equipment	20% (80% coverage after payment of 20% coinsurance)	20% (80% coverage after payment of 20% coinsurance)	20% (80% coverage after payment of 20% coinsurance)	25% for all services to OOP maximum after deductible

INSURANCE (continued)

2024 and 2025- Benefit Provision	Benefit Level 1 The member pays:	Benefit Level 2 The member pays:	Benefit Level 3 The member pays:	Benefit Level 4 The member pays:
Copay for three-tier prescription drug plan	Tier 1: \$ 18 Tier 2: \$ 30 Tier 3: \$ 55	Tier 1: \$ 18 Tier 2: \$ 30 Tier 3: \$ 55	Tier 1: \$ 18 Tier 2: \$ 30 Tier 3: \$ 55	Tier 1: \$ 18 Tier 2: \$ 30 Tier 3: \$ 55
Maximum drug out- of-pocket limit (S/F)	\$1,050/2,100	\$1,050/2,100	\$1,050/2,100	\$1,050/2,100
Maximum non-drug out-of-pocket limit (S/F)	\$1,700/3,400	\$1,700/3,400	\$2,400/4,800	\$3,600/7,200

Note: For more detailed information see: <https://mn.gov/mmb/segip/>

~~**b. Incentive.** Employees will receive a \$70 first dollar credit in plan year 2024 to their individual deductible (regardless of whether the employee is enrolled in single or family coverage), conditional upon completion of qualifying activities in the well-being program by the deadline. The well-being incentive will sunset after 2024.~~

~~**e.b. Service area.** The Minnesota Advantage Health Plan service area shall be comprised of all Minnesota counties as well as border communities, with the specific boundaries initially established by MMB and any changes thereafter mutually agreed to by the Joint Labor Management Committee.~~

~~**d.c. Services received from, or authorized by, a primary care physician within the primary care clinic.** Under Advantage, the health care services outlined in the benefits charts above shall be received from or authorized by a primary care physician within the primary care clinic. Preventive care, as outlined in the Summary of Benefits, is covered at 100 percent for services received from or authorized by the primary care clinic. The primary care clinic shall be selected from approved clinics in accordance with the Advantage administrative procedures. Unless otherwise specified in 6A2, services not received from, or authorized by, a primary care physician within the primary care clinic may not be covered. Unless the individual has a referral from the individual's primary care clinic, there are no benefits for services received from providers in Benefit Levels that are different from that of the primary care clinic in which the individual has enrolled.~~

~~**e.d. In-area services not requiring prior authorization from primary care physician within the primary care clinic.**~~

~~**1) Routine Eye exams.** Limited to one routine examination per year for which no copay applies. Eye injury or illness at an in-network provider will be~~

INSURANCE (continued)

covered as an office visit based on the benefit level in which the individual is enrolled.

- 2) **Emergency services and Urgent Care.** The emergency room copay applies to all outpatient emergency visits that do not result in hospital admission within twenty-four hours.
- 3) **Obstetrics and gynecological care.** The deductible and coinsurance for services not subject to copays applies.
- 4) **Mental health care and substances use disorder treatment.**
- 5) **Chiropractic care.**

For all services listed above apart from urgent care and emergency care, a provider must be in-network with the member's plan administrator for the service to be covered.

f. **Prescription drugs.**

1) **Copayments and annual out-of-pocket maximums.**

For the first and second year of the contract:

Tier 1 copayment: \$18 copayment per prescription or refill for a Tier 1 drug dispensed in a thirty-day supply.

Tier 2 copayment: \$30 copayment per prescription or refill for a Tier 2 drug dispensed in a thirty-day supply.

Tier 3 copayment: \$55 copayment per prescription or refill for a Tier 3 drug dispensed in a thirty-day supply.

Out of pocket maximum: There is an annual maximum eligible out-of-pocket expense limit for prescription drugs of \$1,050 per person or \$2,100 per family.

- 2) **Insulin.** Insulin will be treated as a prescription drug subject to a separate copay for each type prescribed.
- 3) **Brand name drugs.** If the subscriber chooses a brand name drug when a bioequivalent generic drug is available, the subscriber is required to pay the standard copayment plus the difference between the cost of the brand name drug and the generic. Amounts above the copay that an individual elects to pay for a brand name instead of a generic drug will not be credited toward the out-of-pocket maximum.

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- g. **Special Service networks.** The following services must be received from special service network providers in order to be covered. All terms and conditions outlined in the Summary of Benefits apply.
- 1) Mental health services – inpatient or outpatient
 - 2) Chemical dependency services – inpatient and outpatient
 - 3) Chiropractic services
 - 4) Transplant coverage
 - 5) Cardiac services
 - 6) Home infusion therapy
 - 7) Hospice
 - 8) Fertility services
- h. **Individuals whose permanent residence and principal work location are outside the State of Minnesota and outside of the Advantage Plan's service area.** If these individuals use a provider within the plan administrator's national network, services will be covered at Benefit Level Two. If a national network provider is not available in their area, services will be covered at Benefit Level Two through any other provider available in their area. If a national network provider is available but not used, benefits will be covered at Benefit Level Three. All terms and conditions outlined in the Summary of Benefits will apply.
- i. ~~Children living with an ex-spouse outside the Advantage Plan's service area. Covered children living with former spouses outside the Advantage Plan's service area and enrolled under this provision as of December 31, 2003, will be covered at Benefit Level Two benefits. If available, care must be received by providers in the plan administrator's national network. If a national network provider is available but not used, benefits will be covered at Benefit level Three.~~
- j. **Health care services received outside the Minnesota Advantage Health Plan's service area.** For covered services received by employees, former employees, and dependents outside of the Advantage service area, all care that is received within the national network of the member's plan administrator will be covered at Benefit Level Three, with a separate out-of-area deductible. Urgent care and emergency care will be covered at Benefit Level Three whether or not the providers are within the member's plan administrator's national network. All other out-of-area care must be received within the given plan

INSURANCE (continued)

administrator's national network to be covered by the plan. Referrals are not required for care received outside of the Advantage Plan's service area.

- k. **Lifetime maximums and non-prescription out-of-pocket maximums.** Coverage under Advantage is not subject to a per person lifetime maximum.

In the first and second years of the contract, coverage under Advantage is subject to a plan year, non-prescription drug, out-of-pocket maximum of \$1,700 per person or \$3,400 per family for members whose primary care clinic is in Cost Level 1 or Cost Level 2; \$2,400 per person or \$4,800 per family for members whose primary care clinic is in Cost Level 3; and \$3,600 per person or \$7,200 per family for members whose primary care clinic is in Cost Level 4.

- l. **In-network Convenience Clinics and Online Care.** Services received at in-network Convenience Clinics and online care are not subject to a copayment. First dollar deductibles are waived for Convenience Clinic and online visits. (Note that prescriptions received as a result of a visit are subject to the drug copayment and out of pocket maximums described above at 6AS2 ~~(4)~~ e.)
3. **Benefit Level Two Health Care Network Determination.** Issues regarding the health care networks for the 202~~6~~4 insurance year shall be established in accordance with procedures in state collective bargaining agreements.
4. **Coordination with Workers' Compensation.** When an employee has incurred an on-the-job injury or an on-the-job disability and has filed a claim for workers' compensation, medical costs connected with the injury or disability shall be paid by the employee's health plan, pursuant to Minnesota Statutes § [176.191](#), Subdivision 3.
5. **Health Promotion and Health Education.** The Plan recognizes the value and importance of health education programs. Such programs can assist employees and their dependents to maintain and enhance their health, and to make appropriate use of the health care system. The appointing authority may develop and implement health promotion and health education programs, subject to the availability of resources.
6. **Temporary plan changes due to a state or national emergency.** If the State or a federal government agency declares a state of emergency or otherwise invokes emergency authority, declaration, rules, regulations, or similar official statements, the terms of the programs administered by SEGIP may be changed for the period of the declared emergency and for up to a 30-day run-out period. These changes may include changes to programs administered by SEGIP including but not limited to: benefit design, enrollment and eligibility, billing, and administration as well as waiver of out-of-network restrictions, changes to out of pocket costs, extension of time frames for enrollment and billing, and other protocols reasonably expected to provide Members with access to benefits. These changes must be agreed to by SEGIP and the Joint Labor Management Committee. Nothing in this provision prohibits SEGIP from making

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changes authorized or required under another authority including but not limited to a state or federal law, regulation, order, or rule without union agreement.

B. Employee Life Coverage.

- 1. Basic Life and Accidental Death and Dismemberment Coverage.** The Employer agrees to provide and pay for the following term life coverage and accidental death and dismemberment coverage for all employees eligible for an Employer Contribution, as described in this Plan. Any premium paid by the State in excess of \$50,000 coverage is subject to a tax liability in accord with Internal Revenue Service regulations. An employee may decline coverage in excess of \$50,000 by filing a waiver in accord with appointing authority procedures. The basic life insurance policy will include an accelerated benefits agreement providing for payment of benefits prior to death if the insured has a terminal condition.

Employee's Annual Base Salary	Group Life Insurance Coverage	Accidental Death and Dismemberment Principal Sum
\$10,000 - \$2015 ,000	\$3015 ,000	\$3015 ,000
\$2015 ,001 - \$320 ,000	\$420 ,000	\$420 ,000
\$320 ,001 - \$4025 ,000	\$250 ,000	\$250 ,000
\$4025 ,001 - \$530 ,000	\$630 ,000	\$630 ,000
\$530 ,001 - \$6035 ,000	\$7305 ,000	\$7035 ,000
\$6035 ,001 - \$740 ,000	\$840 ,000	\$840 ,000
\$740 ,001 - \$8045 ,000	\$9045 ,000	\$9045 ,000
\$8045 ,001 - \$950 ,000	\$1050 ,000	\$1050 ,000
\$950 ,001 - \$10055 ,000	\$11055 ,000	\$11055 ,000
\$10055 ,001 - \$1160 ,000	\$1260 ,000	\$1260 ,000
\$11060 ,001 - \$12065 ,000	\$13065 ,000	\$13065 ,000
\$12065 ,001 - \$1370 ,000	\$1470 ,000	\$1470 ,000
\$1370 ,001 - \$14075 ,000	\$1750 ,000	\$1750 ,000
\$14075 ,001 - \$1580 ,000	\$1680 ,000	\$1680 ,000
\$1580 ,001 - \$16085 ,000	\$17085 ,000	\$17085 ,000
\$16085 ,001 - \$1790 ,000	\$1890 ,000	\$1890 ,000
\$170,001-\$180,000		

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Over \$~~189~~0,000

\$190,000
\$~~200~~95,000

\$190,000
\$~~200~~95,000

2. **Extended Benefits.** An employee who becomes totally disabled before age 70 shall be eligible for the extended benefit provisions of the life insurance policy until age 70. Employees who were disabled prior to July 1, 1983, and who have continuously received benefits shall continue to receive such benefits under the terms of the policy in effect prior to July 1, 1983.

~~3. **Procurement.** A life insurance Request for Proposal (RFP) may be issued during the term of this Plan. This RFP may result in changes to the current life insurance benefit. The Joint Labor Management Committee on Health Plans (JLM) will participate in the life insurance RFP process and the JLM must agree to changes that modify the life insurance provisions from status quo benefits levels~~

For additional information on life coverage go to:

<https://web1.lifebenefits.com/content/lifebenefits/home/en.html>

SECTION 7. OPTIONAL COVERAGES.

A. Employee and Family Dental Coverage.

1. **Coverage Under the State Dental Plan.** The State Dental Plan will provide the following coverage:
 - a. **Copayments.** The State Dental Plan will cover allowable charges for the following services subject to the copayments and coverage limits stated. Higher out-of-pocket costs may apply to services obtained from dental care providers not in the State Dental Plan network. Services provided ~~through the State Dental Plan~~ are subject to the dental plan administrators' State Dental Plan's managed care procedures and principles, including standards of dental necessity and appropriate practice. The plan shall cover general cleaning two times per plan year and special cleanings (root or deep cleaning) as prescribed by the dentist. National Network benefits apply for members who see a dental provider outside of Minnesota that is in their dental plan administrator's national network but not the State Dental Plan network. Coverages are as follows:

Service	State Dental Plan	<u>National Network</u>
	Network	
Diagnostic/Preventive	100%	<u>100%</u>
Fillings	80% after deductible	<u>60% after deductible</u>
Endodontics	80% after deductible	<u>60% after deductible</u>

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Periodontics	80% after deductible	<u>60% after deductible</u>
Oral Surgery	80% after deductible	<u>60% after deductible</u>
Crowns	80% after deductible	<u>60% after deductible</u>
Implants	80% after deductible	<u>60% after deductible</u>
Prosthetics	80% after deductible	<u>60% after deductible</u>
Prosthetic Repairs	80% after deductible	<u>60% after deductible</u>
	80% (deductible does	<u>60% (deductible does not apply)</u>
Orthodontics*	not apply)	50% (

- b. **Deductible.** An annual deductible of \$50 per person and \$150 per family applies to State Dental Plan non-preventive services received from in-network providers. An annual deductible of one hundred dollars (\$100) per person and three hundred (\$300) per family applies to National Network non-preventive services received from national network providers outside the State Dental Plan network. An annual deductible of \$125 per person applies to State Dental Plan basic and special services received from out of network providers. The deductible must be satisfied before coverage begins.
- c. **Annual maximums.** State Dental Plan coverage is subject to a \$2,200 annual maximum benefit payable (excluding orthodontia and preventive services) per person. "Annual" means per insurance year.
- d. **Orthodontia lifetime maximum.** Orthodontia benefits are subject to a \$3,200 lifetime maximum benefit. If an employee elects dental benefits on their own policy, dollars spent when the employee was a dependent of another policyholder shall not be applied toward the new policy's lifetime maximum.

B. Vision Coverage. Under the life of this Plan, an optional and fully employee-paid vision benefit will be available pursuant to contract parameters with the State's vision vendor.

Note: See this page for more information on the vision benefit:
<https://mn.gov/mmb/segip/benefits/vision/>

C. Life Coverage.

1. **Employee.** An employee may purchase up to \$500,000 additional life insurance, in increments established by the Employer, subject to satisfactory evidence of insurability. A new employee may purchase up to two times annual salary in optional employee life coverage by their initial effective date of coverage as defined in this Chapter, Section 5C without evidence of insurability. An employee who becomes

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eligible for insurance may purchase up to two times annual salary in optional employee life coverage without evidence of insurability within thirty days of the initial effective date as defined in this Chapter. An individual may only be covered on one state sponsored life coverage policy. A retired employee who returns to state service with optional employee life coverage in place or who has already received a paid-up benefit are not eligible for optional employee life coverage.

2. **Spouse.** An employee may purchase up to \$500,000 life insurance coverage for the employee's spouse in increments established by the Employer, subject to satisfactory evidence of insurability. An individual may only be covered on one state sponsored life coverage policy. A retired employee who returns to state services with optional spouse life coverage in place or who has already received a paid-up benefit is not eligible for optional spouse life coverage. A new employee may purchase either \$5,000 or \$10,000 in optional spouse life coverage by their initial effective date of coverage as defined in this Chapter, Section 5C without evidence of insurability. An employee who becomes eligible for insurance may purchase either \$5,000 or \$10,000 in optional spouse coverage without evidence of insurability within 30 days of the initial effective date as defined in this Chapter.
3. **Children/Grandchildren.** An employee may purchase life insurance in the amount of \$10,000 as a package for all eligible children/grandchildren (as defined in Section 2C of this Plan). An individual may only be covered on one policy, by one employee participating in the State Employee Group Insurance Program. For a new employee, child/grandchild coverage requires evidence of insurability if application is made after the initial effective date of coverage as defined in the Chapter, Section 5C. An employee who becomes eligible for insurance may purchase child/grandchild coverage without evidence of insurability if application is made within 30 days of the initial effective date as defined in this Chapter. Child/grandchild coverage commences immediately from the moment of live birth up to age 26.
4. **Accelerated Life.** The additional employee, spouse, and child life insurance policies will include an accelerated benefits agreement providing for payment of benefits prior to death if the insured has a terminal condition.
5. **Waiver of Premium.** In the event an employee becomes totally disabled before age 70, there shall be a waiver of premium for all life insurance coverage that the employee had at the time of disability.
6. **Paid Up Life Policy.** At age 65 or the date of retirement, an employee who has carried optional employee life insurance for the five consecutive years immediately preceding the date of the employee's retirement or age 65, whichever is later, shall receive a post-retirement paid-up life insurance policy in an amount equal to 20 percent of the smallest amount of optional employee life insurance in force during that five-year period. The employee's post-retirement death benefit shall be effective as of the date of the employee's retirement or the employee age 65, whichever is later. Employees who retire prior to age 65 must be immediately eligible to receive a state

INSURANCE (continued)

retirement annuity and must continue their optional employee life insurance to age 65 in order to remain eligible for the employee post-retirement death benefit.

An employee who has carried optional spouse life insurance for the five consecutive years immediately preceding the date of the employee's retirement or spouse age 65, whichever is later, shall receive a post-retirement paid-up life insurance policy in an amount equal to 20 percent of the smallest amount of optional spouse life insurance in force during that five-year period. The spouse or post-retirement death benefit shall be effective as of the date of the employee's retirement or spouse age 65, whichever is later. The employee must continue the full amount of optional spouse life insurance to the date of the employee's retirement or spouse age 65, whichever is later, in order to remain eligible for the spouse post-retirement death benefit.

Each policy remains separate and distinct, and amounts may not be combined for the purpose of increasing the amount of a single policy.

7. ~~**Procurement.** A life insurance Request for Proposal (RFP) may be issued during the term of this Plan. This RFP may result in changes to the current life insurance benefit. The Joint Labor Management Committee on Health Plans (JLM) will participate in the life insurance RFP process and the JLM must agree to changes that modify the optional life insurance provisions from status quo benefit levels.~~

G. Disability Coverage.

1. **Short-term Disability Coverage.** An employee may purchase short-term disability coverage that provides benefits of from \$300 to \$5,000 per month, up to two-thirds of an employee's salary, for up to 180 days during total disability due to a non-occupational accident or a non-occupational sickness. Benefits are paid from the first day of a disabling injury or from the eighth day of a disabling sickness. For a new employee, coverage applied for by the initial effective date of coverage as defined in this Chapter, Section 5C, does not require evidence of insurability. For an employee who becomes eligible for insurance, coverage applied for within 30 days of the initial effective date does not require evidence of insurability. An employee who is insurance eligible and moves from a temporary position to a permanent position will be allowed to enroll in short-term disability coverage within 30 days of the event without providing evidence of insurability. A short-term disability open enrollment will be offered every five years.
2. **Long-term Disability Coverage.** New employees may enroll in long-term disability insurance by their initial effective date of coverage. Employees who become eligible for insurance may enroll in long-term disability insurance within 30 days of their initial effective date as defined in this Chapter, Section 5C. The terms are the same as for employees who wish to add/increase during the annual open enrollment. During open enrollment only, an employee may purchase long-term disability coverage that provides benefits from \$200 to \$7,000 per month, based on the employee's salary,

INSURANCE (continued)

commencing on the 181st calendar day of total disability, and not subject to evidence of insurability but with a limited term pre-existing condition exclusion. Employees should be aware that other wage replacement benefits, as described in the Certificate of Coverage (i.e., Social Security Disability, Minnesota State Retirement Disability, etc.), may result in a reduction of the monthly benefit levels purchased. In any event, the minimum is the greater of \$300 or 15 percent of the amount purchased. The minimum benefit will not be reduced by any other wage replacement benefit. In the event that the employee becomes totally disabled before age 70, the premiums on this benefit shall be waived. An employee who is insurance eligible and moves from a temporary position to a permanent position will be allowed to enroll in long-term disability coverage within 30 days of the event without providing evidence of insurability.

~~3. **Procurement.** A disability insurance Request for Proposal (RFP) may be issued during the term of this Plan. This RFP may result in changes to the current disability coverage benefit. The Joint Labor Management Committee on Health Plans (JLM) will participate in the disability coverage RFP process and the JLM must agree to changes that modify the disability coverage provisions from status quo benefit levels.~~

For additional information on disability coverage, go to:

<https://mn.gov/mmb/segip/benefits/disability/>

H. Accidental Death and Dismemberment Coverage. An employee may purchase accidental death and dismemberment coverage that provides principal sum benefits in amounts ranging from \$5,000 to \$ 200,000. Payment is made only for accidental bodily injury or death and may vary, depending upon the extent of dismemberment. An employee may also purchase from \$5,000 to \$25,000 in coverage for the employee's spouse, but not in excess of the amount carried by the employee.

H.I. Voluntary Legal Services Coverage. Under the life of this agreement, an optional and fully employee-paid legal services benefit will be available pursuant to contract parameters with the State's vendor for disability insurance

J.F. Continuation of Optional Coverages During Unpaid Leave or After Termination Without Cause. An employee who takes an unpaid leave of absence or who is terminated without cause may discontinue premium payments on optional policies during the period of leave or at termination. If the employee returns within one year, the employee shall be permitted to pick up all options held prior to the leave or termination. For purposes of reinstating such optional coverages, the following limitations shall be applicable.

For the first 24 months of long-term disability coverage after such a period of leave or termination without cause during which long-term disability coverage was discontinued, any such disability coverage shall exclude coverage for pre-existing conditions. For

INSURANCE (continued)

disability purposes, a pre-existing condition is defined as any disability which is caused by, or results from, any injury, sickness or pregnancy which occurred, was diagnosed, or for which medical care was received during the period of leave or termination without cause. In addition, any pre-existing condition limitations that would have been in effect under the policy but for the discontinuance of coverage shall continue to apply as provided in the policy.

The limitations set forth above do not apply to leaves that qualify under the Caretaker, Pregnancy and Medical Leave provisions of this Plan.

PRE-TAX EXPENSE ACCOUNTS, RETIREMENT, DEFERRED COMPENSATION AND HEALTH CARE SAVINGS PLAN

Pre-Tax Expense and Reimbursement Accounts

- A. **Premium Expense Account.** Insurance eligible employees will pay for the employee portion of health and dental premiums on a pre-tax basis as permitted by law or regulation unless the employee signs a waiver.
- B. **Health/Dental Expense Account.** Regular employees will be allowed to participate on a pre-tax basis in a medical and dental expense reimbursement program to cover copayments, deductibles, and other medical and dental expenses or expenses for services not covered by health or dental insurance as permitted by law or regulation, up to the maximum amount of salary reduction contributions allowed per calendar year under Section 125 of the Internal Revenue Code or other applicable federal law. On the Minnesota Management and Budget [website, https://mn.gov/mmb/segip/benefits/pre-tax-benefits/](https://mn.gov/mmb/segip/benefits/pre-tax-benefits/) see: “Medical/Dental Expense Account (MDEA).”
- C. **Dependent Care Expense Account.** Regular employees have the option to participate in a dependent care reimbursement program for work-related dependent care expenses on a pre-tax basis as permitted by law or regulation. On the Minnesota Management and Budget [website, https://mn.gov/mmb/segip/benefits/pre-tax-benefits/](https://mn.gov/mmb/segip/benefits/pre-tax-benefits/) see: “Dependent Care Expense Account (DCEA).”
- D. **Mass Transit and Parking Expense and Reimbursement Account.** At the discretion of the appointing authority, regular employees have the option to participate in a pre-tax mass transit expense reimbursement and parking expense account program as permitted by law or regulation. Temporary employees who pay for parking by payroll deduction will have the deduction made on a pre-tax basis unless they file with their payroll officer a waiver of the pre-tax parking benefit within ten days after their date of hire. On the Department of Minnesota Management and Budget [website, https://mn.gov/mmb/segip/benefits/pre-tax-benefits/](https://mn.gov/mmb/segip/benefits/pre-tax-benefits/) see: “Transit Expense Plan (TEA),”
- E. **Pre-tax Plans.** Pre-tax expense and reimbursement account plans will be those offered through the Department of Minnesota Management and Budget, except as otherwise provided by action of the appointing authority.

Minnesota State Retirement System (MSRS)

Visit msrs.state.mn.us for information related to pension plans.

Deferred Compensation

Employees may participate in the State of Minnesota Deferred Compensation Plan. The plan is voluntary and allows employees to place a portion of their earnings into a pre-tax deferred investment program. Employees can contribute up to the annual contribution limits set by the IRS

PRE-TAX ACCOUNTS (continued)

or 100% of their includible compensation, whichever is less. Current year contribution limits are available at: www.msrs.state.mn.us/contribution-rates-mndcp. Taxes on money set aside and on earnings are deferred until the time of withdrawal. This allows employees to defer present income for long-term savings to supplement retirement and other benefits. Full information on the plan is found online at: <https://www.msrs.state.mn.us/about-mndcp>

Once each fiscal year, regular employees may either elect to receive a state-paid contribution to the state deferred compensation program or elect to convert vacation to deferred compensation. For the purpose of the employer match contribution, each entity is considered separate.

- A. **State-Paid Contribution to Deferred Compensation.** For employees electing the state-paid contribution benefit, payment is as follows:

The employer agrees to provide employees with a state-paid contribution to the deferred compensation program under Minnesota Statutes § [352.965](#). The state-paid contribution shall be in an amount matching the employee's contribution on a dollar-for-dollar basis as permitted by Minnesota Statutes § [356.24](#), not to exceed \$750 per fiscal year for House employees. The state-paid contribution shall be in an amount matching the employee's contribution on a dollar-for-dollar basis as permitted by Minnesota Statutes § [356.24](#), not to exceed \$1,150 per fiscal year for Senate employees. For employees under the jurisdiction of the LCC, the state-paid contribution shall be in an amount matching the employee's contribution on a dollar-for-dollar basis as permitted by Minnesota Statutes § [356.24](#), not to exceed \$950 per employee per fiscal year. The Appointing Authority shall determine when the state-paid contribution is paid to the employee.

- B. **Conversion of Accumulated Vacation to Deferred Compensation.** For employees electing the conversion of accumulated vacation to deferred compensation benefit, payment is as follows:

The employee may convert a portion of the employee's accumulated vacation to a contribution to a deferred compensation plan for which a payroll deduction has been provided. For employees of the House, Senate, and employees under the jurisdiction of the LCC, each employee may convert up to a total of 50 hours of vacation and/or compensatory time each fiscal year.

The appointing authority shall determine when the contribution of a conversion of hours, as stated above, is paid to the employee's account. "Vacation leave bank hours" as stated under Vacation Leave cannot be used for conversion.

Health Care Savings Plan

The employer will provide the employee with an account in its Health Care Savings Plan, to receive any payments payable to the employee's account as severance pay or otherwise. The Health Care Savings Plan provides a tax-advantaged method of paying for certain health care and health insurance expenses after the employee is retired or simply no longer employed by the employer. These expenses can include COBRA continuation premiums, other health insurance

PRE-TAX ACCOUNTS (continued)

expenses, copayments and deductibles under other health insurance, long-term care insurance premiums, or simply charges for health care. Expenses for the employee's dependents may also be paid from the employee's account in the plan. The employee pays no income tax on money deposited into the plan, and withdrawal of the money originally deposited and of the earnings is also tax-free, if the withdrawal is for reimbursement of expenses permitted under federal law to be made from these accounts. The employee is given a choice of investment options for the employee's account. Under federal law, deposits into the plan may come only from employer contributions, mandatory employee contributions, or mandatory deposits of severance pay. Voluntary employee contributions are not permitted. The Health Care Savings Plan will be the plan offered through the Minnesota State Retirement System, except as otherwise provided by action of the appointing authority.

How can I find out if I am able to retire and what my pension benefits are?

Most legislative employees are part of the Minnesota State Retirement System (MSRS). The office is located at 60 Empire Drive, Suite 300, St. Paul, MN 55103-1855. You may call the office at 651.296.2761 or contact them via their Web site at: <http://www.msrs.state.mn.us>

*I am interested in **deferred compensation**. Whom shall I contact?*

Contact the Minnesota State Deferred Compensation Plan Participant Service Center at 1.877.457.6466 or via their Web site at: <https://www.msrs.state.mn.us/about-mndcp>

WORKERS' COMPENSATION

Job-Related Injuries

An employee incurring an on-the-job injury shall be paid the employee's regular rate of pay for the remainder of the scheduled workday without deduction from vacation or sick leave accruals. An employee must complete the Information and Privacy Statement and the Employee Statement Regarding Injury/Illness/Incident developed by the Workers' Compensation Program in the Department of Administration.

An employee who incurs a compensable illness or injury and receives workers' compensation benefits may elect to use accumulated vacation or sick leave, or both, during an absence resulting from an injury or illness for which a claim for workers' compensation is made or while an award of benefits is pending. Such leave may be used on the following basis:

- A. The employee retains the workers' compensation benefit check and receives payments from sick leave and vacation leave accruals in an amount which will total the employee's regular gross pay for the period of time involved provided that the total rate of compensation shall not exceed the regular compensation of the employee (Minnesota Statutes § [176.021](#), subd. 5); or
- B. The employee retains the workers' compensation benefit check and takes an unpaid workers' compensation leave during the time the employee is unable to work; or
- C. An employee shall return from workers' compensation leave upon appropriate release from workers' compensation status provided the employee is able to perform the work satisfactorily and safely as determined by competent medical authority.

Vacation and Sick Leave Accruals

An employee receiving workers' compensation benefits supplemented by vacation and/or sick leave accruals shall accrue vacation and sick leave for the total number of hours compensated by workers' compensation, sick leave, vacation leave, and regular hours worked. An employee on unpaid workers' compensation leave does not accrue vacation or sick leave.

Insurance

For employees who are off the State payroll due to a work-related injury or disability, benefits provided under insurance sections of this Plan shall continue as long as the employee is receiving workers' compensation payments or is using disability leave.

The Department of Labor and Industry provides "An Employees Guide to the Minnesota Workers Compensation System", at: <http://www.dli.mn.gov/business/workers-compensation/work-comp-employee-guide-minnesotas-workers-compensation-system> .

WORKERS' COMPENSATION (continued)

ADA/Workers' Compensation

An employee returning from a workers' compensation leave who wishes to request an accommodation under the Americans with Disabilities Act (ADA) may contact their Human Resources Office or Human Resources ~~d~~Designee as provided on page 4.

For all matters involving workers' compensation, the state rules, regulations, and interpretations of statute will apply.

EXPENSE ALLOWANCES

General

The appointing authority may authorize employee expenses for the effective conduct of the Legislature's business. Authorization must be granted prior to the incurring of the actual expenses. Employees affected under this Plan are reimbursed for expenses authorized by the appointing authority in accord with the terms of this Plan. An employee's traveling out of state expense reimbursements may be subject to the tax and filing requirements of the destination state. Employees should contact their tax preparer for more information. Expense reimbursements should be filed in a timely manner by employees. Reimbursements that are not filed in a timely manner, as determined by the appointing authority, may be considered taxable income.

Non-Commercial Transportation Expense.

- A. **Automobile.** When an employee is required to use the employee's personal automobile to conduct authorized state business, the appointing authority must reimburse the employee at the same rate per mile as the standard mileage rate for business use of an automobile as permitted by the IRS under the federal income tax as of the time of the business use of the automobile. Mileage will be calculated on the most direct route according to records used by and available from the appropriate appointing authority's accounting office. Deviations from the most direct route, such as vicinity driving or departure from the employee's residence, must be shown separately on the employee's daily expense record and reimbursed under the foregoing rate. Toll charges and parking fees actually paid shall be reimbursed. An employee may not be required by the appointing authority to carry automobile insurance coverage beyond that required by law.

When an employee does not report to the office during the day or makes business calls before or after reporting to the office, the allowable mileage is: (1) the lesser of the mileage from the employee's residence to the first stop or from the office to the first stop, (2) all mileage between points visited on state business during the day, and (3) the lesser of the mileage from the last stop to the employee's residence or from the last stop to the office.

- B. **Van or Van-type Vehicle.** Employees who use a specially equipped personal van or van-type vehicle on official state business are reimbursed for mileage at the current General Services Administration reimbursement a rate as permitted by the IRS under the federal income tax code. ~~plus \$.09 per mile on the most direct route. In order to qualify for this reimbursement rate, the vehicle must be equipped with a ramp, lift, or other level exchanging device designed to provide access for a wheelchair.~~
- C. **Motorcycle.** Reimbursement for use of a motorcycle on official state business shall be at the current General Services Administration reimbursement a rate as permitted by the IRS under the federal income tax code ~~of 65 cents per mile or any greater or lesser amount authorized by the General Services Administration~~ for employees on the most direct route.

EXPENSE ALLOWANCES (continued)

- D. **Personal Aircraft.** The appointing authority may authorize travel in personal aircraft when it is deemed in the best interest of the state. Mileage reimbursement is at the current General Services Administration reimbursement rate as permitted by the IRS under the federal income tax code of \$1.76 per mile, or any greater or lesser amount authorized by the General Services Administration for employees and is based on the shortest route based on direct air mileage between the point of departure and the destination.

Commercial Transportation.

When an employee is required to use commercial transportation (air, taxi, rental car, etc.) in connection with authorized business of an appointing authority, the employee is reimbursed for the actual expenses of the mode and class of transportation so authorized. Reasonable gratuities may be included in commercial travel costs.

If an employee uses a personal automobile instead of commercial transportation, the employee is reimbursed either mileage, at the rates stated previously, or round trip air fare, whichever is less as determined by the appointing authority.

Frequent Flyer Miles

Airline frequent flyer miles or credits received from an airline as a result of air travel paid for by the appointing authority must not be used by the member or employee for personal travel but must be reported and turned over to the appointing authority, as required by Minnesota Statutes § [15.435](#).

Overnight Travel

Employees in travel status who incur expenses for lodging are allowed actual reasonable costs of lodging and meals while away from their home station, up to the maximums stated below. Employees in travel status in excess of one calendar week without returning home are allowed reimbursement of actual costs not to exceed \$16.00 per week for laundry and dry cleaning. The laundry and dry cleaning allowance is available to be claimed beginning the eighth day and each subsequent week after the first week. Employees in travel status may be reimbursed for personal telephone charges. The maximum reimbursement for personal telephone calls for each trip shall be the result of multiplying the number of nights away from home by three dollars.

Meal Allowances

If the employee is on assignment away from the employee's temporary or home station in a travel status with the work assignment extending over the normal noon meal period, the employee is reimbursed for actual costs of meals (up to the maximum reimbursement) including gratuity. Employees are also reimbursed for meals which are an integral part of conferences and meetings which have been approved in advance by the appointing authority and are consistent with the appointing authority's policies or practices on the payment of Special Expenses.

EXPENSE ALLOWANCES (continued)

Maximum reimbursements for meals, including tax and gratuity, are:

	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>
<u>Within the state:</u>	\$10.00	\$13.00	\$19.00
<u>Outside the state:</u>	\$12.00	\$15.00	\$23.00

Employees who are in travel status for two or more meals are reimbursed for the actual costs of the meals up to the combined maximum amount per day for the reimbursable meals.

Breakfast reimbursements may be claimed only if the employee is on assignment away from the employee's home station in a travel status overnight or departs from home in an assigned travel status before 6:00 a.m. Dinner reimbursement may be claimed only if the employee is away from the employee's home station in a travel status overnight or is required to remain in a travel status until after 7:00 p.m.

Special Expenses

When prior approval has been granted by an appointing authority, special expenses, including registration or conference fees, individual annual professional membership dues and professional fees, and tuition for educational classes may be paid.

- A. **Registration or conference fees** may be paid or reimbursed only if the conference or meeting is relevant to the employee's current job and attendance is state business.
- B. **Professional membership dues** and professional fees may be paid only if they are directly related to the employee's current position.
- C. **Educational expenses**, including fees and tuition, may be paid or reimbursed only if:
 - (a) the course is related to maintaining or improving performance in current or anticipated job responsibilities of the employee; or
 - (b) the education is required by the appointing authority, or applicable professional or licensing group, as a condition for retention of employment.
 - (c) Educational expenses may not be paid or reimbursed if the education is necessary for the employee:
 - i. to meet the minimum educational requirement for the employee's current position; or
 - ii. to qualify for a new job.

EXPENSE ALLOWANCES (continued)

- D. **Career Development.** The appointing authority may develop an education program for career development.

Payment of Expenses

No expenses (transportation, lodging, meals or registration fees) may be paid to an employee in advance.

JOB CANDIDATE INTERVIEW AND RELOCATION ALLOWANCES

Authorization

The appointing authority may authorize reimbursement to a job candidate for actual expenses incurred in traveling to appear for a job interview. Reimbursement is the same as for employees traveling on legislative business.

When it has been determined by the appointing authority that a position is to be filled by a job candidate who resides fifty miles or more from the state capitol, the cost of moving the job candidate may be paid by the appointing authority if approved in advance.

Covered Expenses.

- A. **Moving and Packing.** The appointing authority may pay the cost of moving, ~~and packing,~~ and other reasonable relocation expenses of the employee's household goods if approved in advance and authorized by the appointing authority. The employee must obtain no less than two bids for packing and/or moving household goods, and approval must be obtained from the appointing authority prior to any commitment to a mover to either pack or ship the employee's household goods.
- B. **Storage.** The appointing authority may also pay for up to six months of storage of a prospective employee's goods, either at origin or destination, if necessitated by the employee's inability to coordinate the acquisition of a new residence with the departure from the old residence or for other good cause not amounting to a voluntary election to store the goods.
- ~~C. **House Trailer.** The appointing authority may pay for the moving of house trailers if the trailer is the employee's domicile. Reimbursement includes the cost of transporting support blocks, skirts, or other attached fixtures.~~
- ~~D.C.~~
-No Coverage for Loss or Damage. Neither the State of Minnesota nor any of its agencies are responsible for any loss or damage to any of the employee's household goods or personal effects as a result of transfer.

APPENDIX A (COBRA)

Continuation coverage provides you and your family the opportunity for a temporary extension of existing health, dental and life insurance coverage (at your expense) under certain circumstances when coverage would otherwise end.

If you lose your insurance coverage under certain circumstances, you and your dependents may have the right to continue:

- health insurance
- dental insurance
- life insurance
- Medical/Dental Expense Account (on an after-tax basis)

Under a federal law known as The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and under Minnesota law, you or your dependents may be entitled to continue these benefits if one of the following “qualifying events” causes you or your dependents to lose coverage under the State Employee Group Insurance Program. (Your dependents may not continue life insurance. Only you, as a state employee, may do so.)

Qualifying Events

- termination of employment (for reasons other than gross misconduct)
- reduction in work hours causing ineligibility for benefits
- divorce or legal separation
- child is no longer eligible as a dependent
- death of an employee
- a covered employee’s entitlement to or enrollment in Medicare

Qualifying events may affect you, your spouse, and/or dependent children. If you or your dependents are affected by one of the previously listed qualifying events, the State of Minnesota (your employer) must allow you to continue coverage. The coverage must be the same as the coverage provided by the state to similarly situated employees or family members. This means that if coverage for similarly situated employees or family members is changed, your coverage will also be changed.

Continuing Your Insurance Coverage

The procedures for continuing coverage depend on the type of qualifying event and who is affected. Except for life insurance, both you and your dependents have insurance continuation rights, so for the remainder of this section the word “you” refers to you (the employee) and your dependents.

In most cases, you have 60 days from the date of the qualifying event to select continuation coverage. If you choose to continue coverage, you must pay the full cost of coverage (plus a two percent administrative fee based on the cost of your premium) from the date coverage would have terminated.

Your Department Designated Insurance Representative (DDIR) is available to help you complete the forms to request continuation coverages. If you decide not to continue coverage, your participation in dental and optional coverages will stop at the end of the payroll period in which the qualifying event occurs; your health coverage will end at the end of the month which includes the termination date of your dental and optional coverages. If there is an appropriate qualifying event, members of your family also have the right to continue health and dental coverage.

Keep in mind the following important points:

- Health, dental, and life insurance must be continued at your own expense. You must pay the full insurance premium (both employee and employer costs) for continuation coverage, plus a two percent administrative fee.
- You need not provide evidence of good health to continue your coverage.
- After your continuation coverage period ends, you may enroll in individual conversion insurance plans for health and life insurance. Conversion coverage may cost more than continuation coverage and may not be identical to your current coverage. You need not provide evidence of good health to convert to an individual plan.
- Continuation coverage cannot be paid through payroll deduction.

Length of Continuation Coverage

This varies depending on what your qualifying event is and who is affected. Although your insurance certificates of coverage are the best source of information, these two general rules apply.

1. For life insurance, the length of continuation coverage is 18 months. Only employees, not dependents, may continue life insurance.
2. For health and dental insurance, you may continue coverage:
 - for up to 18 months for termination of employment or loss of employee insurance eligibility due to a reduction in hours. If another qualifying event occurs during these 18 months (child becomes ineligible as a dependent or you are divorced), the person(s) affected by that event will then be eligible to continue coverage up to the maximum amount of time allotted to a second qualifying event.
 - For up to 36 months if your child is no longer eligible as a dependent.
 - For divorce, legal separation, or death of an employee until a disqualifying event occurs (see next paragraph).

If either you or your dependents are or become disabled within 60 days of the date your employment ends, an extension of continuation benefits may be available.

Disqualifying Events

Your continuation coverage may end sooner than the periods specified if any of the following disqualifying events occur:

- you fail to pay the premiums for your insurance coverage.
- you become covered under another group insurance plan that does not contain an exclusion or limitation for a pre-existing health condition which you or your dependent(s) may have.
- the State of Minnesota discontinues coverage for all of its employees.

If you have any questions about your rights to continue coverage, contact:

- your Human Resources Office, or
- Department of Minnesota Management and Budget Employee Insurance Division
651.335.0100

See also “Understanding Your Benefits: COBRA” on the Department of Minnesota Management and Budget Web site, at: <https://mn.gov/mmb/segip/notices/cobra-policy.jsp>

Notification

In the event of your termination of employment or reduction in work hours, your Human Resources Office will notify you of your rights to continue insurance coverage. This notice will include the premium cost required.

For all other events — death, divorce, legal separation, or over-age dependents — you (or your dependents in the event of your death) are responsible for notifying your department insurance representative within 60 days of the qualifying event. *If you do not properly notify your department insurance representative of these changes, you may jeopardize your dependents’ rights to continue coverage.*

Your health, dental and life insurance certificates of coverage/summaries of benefits explain in detail your rights and responsibilities under state and federal law. They are your best source of information about continuing your coverage. For more information about continuing your Medical/Dental Expense Account, please ask for a pre-tax benefits packet from your Human Resources Office or Human Resources Designee.