



Paid Leave and other programs

This chart gives a general comparison of common types of leave from work that are available in Minnesota. It is meant to help workers, families, and employers understand and compare state and federal programs. Each program has its own rules, definitions, and application process. Talk with your employer and contact the agency that runs each program if you have questions about your situation.

This chart compares four programs: Minnesota Paid Leave, Pregnancy and Parental Leave (PPL), Family and Medical Leave Act (FMLA), and Earned Sick and Safe Time (ESST).

Program	Managed by
<u>Minnesota Paid Leave</u> - Website: paidleave.mn.gov - Email: PaidLeave@state.mn.us - Phone: 651-556-7777	Minnesota Department of Employment and Economic Development (DEED)
<u>Pregnancy and Parental Leave (PPL)</u> - Website: dli.mn.gov/parental-leave - Email: dli.laborstandards@state.mn.us - Phone: 651-284-5075	Minnesota Department of Labor and Industry (DLI)
<u>Family and Medical Leave Act (FMLA)</u> - Website: dol.gov/agencies/whd/fmla - Phone: 612-370-3341	U.S. Department of Labor (DOL)
<u>Earned Sick and Safe Time (ESST)</u> - Website: sickleave.mn.gov - Email: esst.dli@state.mn.us - Phone: 651-284-5075	Department of Labor and Industry (DLI)



Learn more
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Law:	Minnesota Paid Leave	Pregnancy and Parental Leave (PPL)	Family and Medical Leave Act (FMLA)	Earned Sick and Safe Time (ESST)
State or federal?	State	State	Federal	State
Start date	Jan. 1, 2026	May 10, 2014	Aug. 5, 1993	Jan. 1, 2024
Features	● Paid ● Job protections ● Insurance continuation	● Unpaid ● Job protections ● Insurance continuation	● Unpaid ● Job protections ● Health insurance continuation	● Paid ● Job protections ● Insurance continuation
What does the law do?	● Provides partial wage replacement ● Right to return to your job or an equivalent position after leave, starting 90 days from hire ● Covers conditions lasting 7+ days	● Provides unpaid leave ● Right to job reinstatement after leave starting on first day of employment ● For birth or adoption of a child ● Covers prenatal care and pregnancy-related health needs	● Provides unpaid, job-protected leave ● Covers specified family and medical reasons ● Covers military caregiver and qualifying exigency leave ● Requires 12 months of employment and 1,250 hours worked	● Provides up to 80 hours of paid time off for medical and safety needs per year ● Job-protected leave
What can someone take leave for?	● Medical Leave: For your own serious health condition ● Family Leave: Care for a family member ● Caring Leave: Care for a family member with a serious health condition ● Bonding Leave: Bond with a child (birth, adoption, or foster) ● Military Family Leave: Support a family member called to active duty ● Safety Leave: Respond to safety issues related to domestic violence, sexual assault, or stalking	● Pregnancy Leave: ● Prenatal care ● Pregnancy-related incapacity ● Childbirth ● Parental Leave: ● Bond with a new child related to birth or adoption	● Medical Leave: For your own serious health condition ● Family Leave: Care for a family member ● Caring Leave: Care for a family member with a serious health condition ● Bonding Leave: Bond with a child (birth, adoption, or foster) ● Military Family Leave: Support a family member called to active duty	● Medical or Caring: ● For your own illness, injury, or medical care ● For a family member's illness, injury, or medical care ● Safety: ● Respond to safety issues related to domestic violence, sexual assault, or stalking for yourself or a family member ● Covers absences related to workplace and care facility closures ● Bereavement: ● Including memorials or to address legal and financial issues
Who can someone take leave to care for?	● Employee ● Spouse or partner ● Child (biological, adopted, or foster) ● Parent ● Sibling ● Grandchild ● Grandparent ● In-laws (parents, siblings, children) ● Anyone who has a relationship with the employee that creates an expectation of care without compensation	● Employee ● Employee's child under 18 years of age ● Employee's child under age 20, still attending secondary school Applies only to care related to pregnancy, birth, or adoption	● Employee ● Spouse ● Child ● Parent Does not cover siblings, grandparents, or in-laws	● Employee ● Spouse ● Child ● Sibling ● Parent ● Grandchild ● Grandparent ● Niece, nephew, or another child of employee's sibling ● Aunt, uncle, or other sibling of employee's parent ● Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.

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Law:	Minnesota Paid Leave	Pregnancy and Parental Leave (PPL)	Family and Medical Leave Act (FMLA)	Earned Sick and Safe Time (ESST)
When can leave be taken?	- Starting Jan. 1, 2026 for any qualifying event - Bonding Leave can be taken any time within 12 months after birth, adoption, or foster placement - If a child is hospitalized longer than the birthing parent, within 12 months of the child arriving home - Leave can be taken continuously in a single block of time, or intermittently in multiple blocks of time	- At the time requested by the employee - The leave must begin within 12 months of the birth or adoption, or within 12 months after the child leaves the hospital	Within 12 months of birth or placement	- As hours are accrued (at least 1 hour for every 30 hours worked, or otherwise provided) - Up to 48 hours per year (or up to 80 hours if provided all at once at the start of the year)
How much notice does someone need to give?	- At least 30 days notice when foreseeable - As soon as possible when not foreseeable - Notice may be written, verbal (in-person or over the phone), text, or electronic	- Employee chooses when leave begins - Employer may require reasonable notice	- At least 30 days notice when foreseeable - As much notice as is practical when not foreseeable	- Employers may require notice at least 7 days for a foreseeable event - Employer notice policy must be in writing - As soon as possible when not foreseeable
Which employers are covered?	- Nearly all Minnesota employers - No business size requirement - Tribal nations are not required to participate but may opt in	- Nearly all Minnesota employers - No business size requirement	Employers with 50 or more employees in a 75-mile radius	- Nearly all Minnesota employers - No business size requirement
Which employees are covered?	- Most Minnesota workers who: - Have worked primarily based in Minnesota (including some multi-state workers) - Earned at least 5.3% of the state's average annual wage (about \$3,900; amount adjusts annually) - Part-time, seasonal, temporary, and multiple job workers are covered - Self-employed can opt in - Federal government employees, postal workers, and railroad employees are not covered and cannot opt in	- Most Minnesota workers are eligible - No minimum hours or lengths of employment required	Worked for employer at least 12 months	- Anyone working 80 or more hours per year in Minnesota - The following workers are not covered: - Independent contractors - Volunteer and paid on-call emergency personnel - Elected and appointed officials - Family-farm workers who work 28 days or fewer in a year
How much leave can someone take in a single year?	- In a benefit year, a person is eligible for a maximum of: 12 weeks of Medical Leave 12 weeks of Family Leave 20 weeks combined Medical and Family Leave	- Up to 12 weeks - The 12 weeks must not be reduced by any period of paid or unpaid leave taken for prenatal care medical appointments.	12 weeks in a one-year period 26 weeks for military caregiver leave	As much time as the employee accrues, however, employer can cap the accrual at 48 hours per year, and the total amount available to 80 hours at any given time.

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Law:	Minnesota Paid Leave	Pregnancy and Parental Leave (PPL)	Family and Medical Leave Act (FMLA)	Earned Sick and Safe Time (ESST)
What happens to health insurance during leave?	- Employers must maintain coverage - Employees must continue paying their share of premiums - Coverage must remain the same	- Employers must maintain coverage - Employees must continue paying their share of premiums - Coverage must remain the same	- Employers must maintain coverage - Employees must continue paying their share of premiums - Coverage must remain the same	- Employers must maintain coverage - Employees must continue paying their share of premiums - Coverage must remain the same
How does this type of leave interact with other types of leave?	- Employers can run at the same time as FMLA if a person is eligible for both for the same qualifying event - Employers can run at the same time as PPL if a person is eligible for both at the same time - Employers cannot require you to use paid time off before or during Paid Leave	- Employers can run at the same time as FMLA - Employers can run at the same time as Paid Leave - Total leave for the same event cannot exceed 12 weeks - If an employee uses ESST, PTO, or other paid vacation or sick leave at the same time, total leave cannot exceed 12 weeks - An employee may be able to take additional FMLA leave beyond the 12 weeks if they have a different, non-pregnancy-related serious health condition	- Leave time is only counted once when more than one law applies - Employers can run FMLA and Paid Leave concurrently for the same event - Employer may require employees to use paid time off - ESST can provide pay during FMLA	- ESST can be used for short-term needs that do not qualify for Paid Leave or FMLA - Employees may choose to use ESST in lieu of Paid Leave
What job protections do employees have?	- Right to return to your job or an equivalent position begins 90 days from date of hire - Return to same or equivalent job - No retaliation for applying, taking leave, or asking about rights - Benefits restored when returning (seniority, pay, status) - Insurance continuation during and after leave	- Right to job reinstatement begins at the start of employment - Return to same or equivalent job - No retaliation for applying, taking leave, or asking about rights - Must receive any pay-scale adjustments that occur during leave - Insurance continuation during and after leave	- Return to same or equivalent job - No retaliation for applying, taking leave, or asking about rights - Medical insurance continuation during and after leave	- The law prohibits retaliation. - If an employee is terminated or suspended from work for lawfully exercising their right to ESST, DLI may order relief including job reinstatement. - Insurance continuation during and after leave
Where can people learn more?	Minn. Stat. §§ 268B.01, et seq. paidleave.mn.gov	Minn. Stat. § 181.941 dli.mn.gov/parental-leave	29 U.S.C. §§ 2601, et seq. dol.gov/whd/fmla	Minn. Stat. § 181.9445-.9448 sickleave.mn.gov

This chart is not a source of law or legal or financial advice and does not contemplate the applicability or effect of any other law or regulation. Please also be aware that the Minnesota Paid Leave law, and many other employment laws, includes a private right of action (i.e., provides employees with the right to pursue legal action on their own or through legal counsel). Therefore, information in this chart is not binding and should not otherwise be construed as a sole source of authority on these questions. Individuals and organizations are encouraged to seek guidance from legal counsel regarding the issues addressed in this document.



Learn more
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