

Minnesota must safeguard civil rights



Minnesota has proudly championed civil rights since becoming a state. In the nearly 170 years since, legislators from both political parties have advanced anti-discrimination laws including passing the landmark Minnesota Human Rights Act to ensure every Minnesotan can lead lives full of dignity and joy.

Thanks to this shared commitment, Minnesota has one of the strongest civil rights laws in the country.

Keeping Civil Rights Strong (HF 3614 | SF 3662)

In 2026, legislators must continue to work together to strengthen the Minnesota Human Rights Act by:

1

Expanding state disparate impact protections to include housing to enshrine civil rights under threat from federal rollbacks and root out discrimination in Minnesota.

2

Clarifying how disparate impact law should apply, including detailing how landlords and employers can avoid liability by exploring Minnesota's less discriminatory alternatives in policies and practices.

3

Addressing emerging concerns about discrimination caused by the use of artificial intelligence (AI) and algorithmic decision-making tools.

Minnesota civil rights laws are especially important since the federal government has stopped enforcing long-held anti-discrimination protections, closed civil rights offices, and defunded key programs. Legislators can respond to these civil rights challenges by enforcing, safeguarding, and strengthening state laws so Minnesotans can live free from discrimination.

What is disparate impact?

Disparate impact may sound like legal jargon, but its straightforward goal is to prevent unequal outcomes. Disparate impact laws acknowledge that policies that appear fair on the surface can end up harming some people more than others, because of their race, sex, disability, or other protected identities.

Disparate impact laws have existed at both the state and federal level since the 1970's. In 1990, Minnesota legislators explicitly added disparate impact protections in employment to the Minnesota Human Rights Act.

Examples of Disparate Impact Protections for Minnesotans

Strengthening disparate impact protections in the Minnesota Human Rights Act will promote fairness and reduce harmful discrimination. The law also provides guidance for employers and landlords to prevent liability. Here are examples of potential scenarios and resolutions, using a disparate impact framework:

Situation



Impact



Resolution



A fast-food restaurant requires that all cashiers have a Bachelor's degree, without exception.

This requirement disproportionately limits opportunities for Indigenous and Black Minnesotans to be hired, because only 16 percent of Indigenous adults and 19 percent of Black adults have earned a Bachelor's degree.

The company removes the degree requirement and allows applicants to count applicable work experience in place of degrees.

A local company has a policy that requires remote data entry employees to demonstrate they can lift at least 100 pounds.

The policy makes it more difficult for women and people with physical disabilities to get hired for the position.

The employer removes strength tests from its hiring criteria since there is no legitimate business purpose for a remote data entry position to lift 100 pounds.

An apartment building uses an AI tool to screen tenants. The AI tool screens out all tenants that cannot show proof of full-time employment.

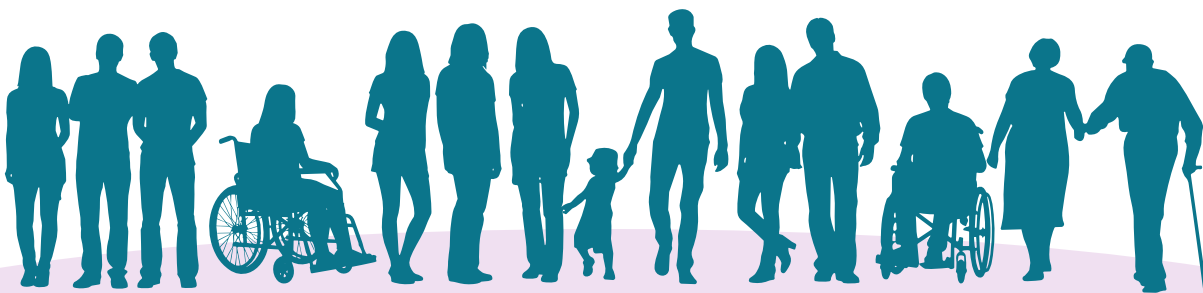
This policy excludes people who are retired or have part-time employment, including older residents and people with disabilities who otherwise can afford rent.

The AI tool changes to allow applicants to show that they can afford the rent, regardless of full-time employment.

An apartment building has a policy that only two people can live in one-bedroom units.

This policy disproportionately impacts families that have more than two people. For example, a couple would be evicted if they were to have a baby.

The apartment changes its policy to allow renters to stay in their units after the birth of a child.



Contact Director of Government Relations Nico Bauer at government.relations.mdhr@state.mn.us.