

Memo

Date: January 25, 2024

To: Agency Payroll and Human Resources Staff

From: Mary Muellner, Director, Statewide Payroll Services
Jeffrey Schmidtman, Manager, Agency Services

RE: Earned Sick and Safe Time's Impact on Leave Authority

Earned Sick and Safe Time (ESST) went into effect on January 1, 2024. Employees will accrue sick leave based upon an employee's collective bargaining agreement (CBA), compensation plan, memorandum of understanding (MOU), or [M.S. 181.9446 \(ESST\)](#). Elected officials are not eligible to accrue sick leave under ESST. Employees working less than eighty (80) hours in a fiscal year may be eligible to accrue sick leave under an applicable plan.

Most Leave Authorities have been updated to include a sick leave plan, which defines rules for sick leave including a schedule for calculating the number of sick leave hours based on hours worked.

Agencies should use the following table with combinations of an employee's Regular/Temporary and Full/Part Time field values to identify an employee's [Sick Leave Accrual Schedule](#).

Regular/Temporary	Full/Part Time	Sick Leave Accrual Category
Emergency	Full or Part Time or Intermittent	Intermittent/Emergency
Limited/Limited Academic	Full or Part Time	Standard; except for PROs are Intermittent/Emergency
Limited/Limited Academic	Intermittent	Intermittent/Emergency
Seasonal	Full or Part Time	Standard, already eligible
Seasonal	Intermittent	Intermittent/Emergency
Temporary	Full or Part Time	Standard (MOU "temporary")
Temporary	Intermittent	Intermittent/Emergency
Trainee	Full or Part Time or Intermittent	Determined by Agency
Unlimited	Full or Part Time	Standard, already eligible
Unlimited	Intermittent	Intermittent/Emergency

Use this information to assist in the determination of the appropriate leave authority. Agencies should use the [Leave Authority List](#), which includes the type of sick leave accrual schedule based upon the employee's Regular/Temporary and Full/Part Time fields. Leave Authorities, which do not accrue sick leave in SEMA4, are marked with an asterisk (* symbol).

Certain employees covered by the Minnesota Nurse's Association (MNA), Minnesota Law Enforcement Association (MLEA), Law Enforcement Legal Services (LELS), Office of the Minnesota Attorney General Compensation Plan, and Paid Interns who are not eligible for sick leave or are accruing insufficient amounts are entitled to sick leave under Sick Leave Accrual Category: Earned Sick and Safe Time. Elected officials, Bar Exam Monitors, AmeriCorps Workers, and MDVA Resident Workers are not subject to Earned Sick and Safe Time either by exclusions or by not meeting the eighty (80) hour worked threshold.

Questions?

Questions regarding leave authority or leave accrual should be directed to:

- Jody Dahl at 651-201-8206 or jody.dahl@state.mn.us.
- Mary Muellner at 651-201-8060 or mary.muellner@state.mn.us.

Questions regarding changes to HR data should be directed to your SEMA4 HR Specialist:

- Kaeley Cazin at kaeley.cazin@state.mn.us.
- Tia Chester at tia.chester@state.mn.us.
- Diane Clemens at diane.clemens@state.mn.us.

PLEASE SHARE THIS INFORMATION WITH APPROPRIATE AGENCY STAFF