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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 846

02/21/2013 Authored by Franson; McNamar; Erickson, S.; Draskowski; Kieffer and others
The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries

1.1 A bill for an act
1.2 relating to employment; clarifying collective bargaining; proposing coding for
1.3 new law in Minnesota Statutes, chapter 179A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [179A.015] FAMILY FREEDOM ACT.

1.6 Subdivision 1. Title. This section shall be known as the Family Freedom Act.

1.7 Subd. 2. Prohibition. A self-employed individual shall be considered an
1.8 independent contractor as provided for under the National Labor Relations Act, United
1.9 States Code, title 29, chapter 7, subchapter II, section 152, even if some or all of the
1.10 funding for any service provided to any client of the individual comes from a governmental
1.11 subsidy. Self-employed individuals may not form or join a labor or employee organization
1.12 under authority of chapter 179; the Public Employment Labor Relations Act, chapter
1.13 179A; or any other law. Individuals subject to the prohibition in this section include, but
1.14 are not limited to, child care providers and personal care attendants.

1.15 EFFECTIVE DATE. This section is effective the day following final enactment.