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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 800

02/08/2021 Authored by Wolgamott; Hansen, R.; Koegel; Howard; Becker-Finn and others
03/11/2021 The bill was read for the first time and referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy
Adoption of Report: Amended and re-referred to the Committee on Agriculture Finance and Policy

1.1 A bill for an act
1.2 relating to labor; providing safe workplaces for meat and poultry processing
1.3 workers; authorizing rulemaking; requiring a report; appropriating money;
1.4 proposing coding for new law in Minnesota Statutes, chapter 179.

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

1.6 Section 1. [179.87] TITLE.

1.7 Sections 179.87 to 179.8757 may be titled the Safe Workplaces for Meat and Poultry
1.8 Processing Workers Act.

1.9 Sec. 2. [179.871] DEFINITIONS.

1.10 Subdivision 1. Definitions. For purposes of sections 179.87 to 179.8757, the terms in
1.11 this section have the meanings given.

1.12 Subd. 2. Authorized employee representative. "Authorized employee representative"
1.13 has the meaning given in section 182.651, subdivision 22.

1.14 Subd. 3. Commissioner. "Commissioner" means the commissioner of labor and industry
1.15 or the commissioner's designee.

1.16 Subd. 4. Coordinator. "Coordinator" means the meatpacking industry worker rights
1.17 coordinator or the coordinator's designee.

1.18 Subd. 5. Meat-processing worker. "Meat-processing worker" or "worker" means any
1.19 individual who a meat-processing employer suffers or permits to work directly in contact
1.20 with raw meatpacking products in a meatpacking operation, including independent contractors

2.1 and persons performing work for an employer through a temporary service or staffing
2.2 agency.

2.3 Subd. 6. **Meatpacking operation.** "Meatpacking operation" or "meat-processing
2.4 employer" means a business in which slaughtering, butchering, meat canning, meatpacking,
2.5 meat manufacturing, poultry canning, poultry packing, poultry manufacturing, pet food
2.6 manufacturing, egg production, processing of meatpacking products, or rendering occurs.
2.7 Meatpacking operation or meat-processing employer does not mean a grocery store, deli,
2.8 restaurant, or other business preparing meat or poultry products for immediate consumption.

2.9 Subd. 7. **Meatpacking products.** "Meatpacking products" means meat food products
2.10 and poultry food products as defined in section 31A.02, subdivision 10.

2.11 Subd. 8. **Public health emergency.** "Public health emergency" means a peacetime
2.12 emergency declared by the governor under section 12.31, a federal public health emergency
2.13 declared by the secretary of the Department of Health and Human Services, or a national
2.14 emergency declared by the president due to infectious disease or another significant threat
2.15 to public health.

2.16 **Sec. 3. [179.8715] WORKER RIGHTS COORDINATOR.**

2.17 (a) The commissioner must appoint a meatpacking industry worker rights coordinator
2.18 in the Department of Labor and Industry and provide the coordinator with necessary office
2.19 space, furniture, equipment, supplies, and assistance.

2.20 (b) The coordinator must enforce sections 179.87 to 179.8757, including inspecting,
2.21 reviewing, and recommending improvements to the practices and procedures of meatpacking
2.22 operations in Minnesota. A meat-processing employer must grant the coordinator full access
2.23 to all meatpacking operations in this state at any time that meatpacking products are being
2.24 processed or meat-processing workers are on the job.

2.25 (c) No later than December 1 each year, the coordinator must submit a report to the
2.26 governor and the chairs and ranking minority members of the legislative committees with
2.27 jurisdiction over labor. The report must include recommendations to promote better treatment
2.28 of meat-processing workers. The coordinator shall also post the report on the Department
2.29 of Labor and Industry's website.

2.30 **Sec. 4. [179.872] REFUSAL TO WORK UNDER DANGEROUS CONDITIONS.**

2.31 (a) A meat-processing worker has a right to refuse to work under conditions that the
2.32 worker reasonably believes would expose the worker, other workers, or the public to an

3.1 unreasonable risk of illness or injury, or exposure to illness or injury, including the infectious
3.2 disease known as COVID-19.

3.3 (b) A meat-processing employer must not discriminate or take adverse action against
3.4 any worker for a good faith refusal to work if the worker has requested that the employer
3.5 correct a hazardous condition and that condition remains uncorrected.

3.6 (c) A meat-processing worker who has refused in good faith to work under paragraph
3.7 (a) or (b) and who has not been reassigned to other work by the meat-processing employer
3.8 must, in addition to retaining a right to continued employment, continue to be paid by the
3.9 employer for the hours that would have been worked until such time as the meat-processing
3.10 employer can demonstrate that the condition has been remedied.

3.11 **Sec. 5. [179.874] UNEMPLOYMENT INSURANCE; DANGEROUS MEAT**
3.12 **PACKING CONDITIONS.**

3.13 (a) Notwithstanding any law to the contrary, the provisions of this section govern
3.14 unemployment insurance claims for meat-processing workers.

3.15 (b) An individual who left employment because a meat-processing employer failed to
3.16 cure a working condition that made the work environment unsuitable for health or safety
3.17 reasons has good cause for leaving employment.

3.18 (c) During a public health emergency, an individual must not be required to prove that
3.19 a working condition that made the environment unsuitable for health or safety reasons was
3.20 unique to the worker or that the risk was not customary to the worker's occupation.

3.21 (d) An individual must be deemed to have exhausted reasonable alternatives to leaving
3.22 if the individual, authorized employee representative, or another employee notified the
3.23 meat-processing employer of the unsafe or unhealthy working condition and the employer
3.24 did not cure it or if the employer knew or should have had reason to know that the condition
3.25 made the work environment unsuitable and did not cure it.

3.26 (e) During a public health emergency, an individual has good cause to leave employment
3.27 if the individual leaves to care for a seriously ill or quarantined family or household member.

3.28 (f) An individual has good cause to refuse an offer of employment or reemployment if
3.29 the meat-processing employer has not cured a working condition that makes the work
3.30 environment unsuitable for health or safety reasons, including any condition that required
3.31 the workplace to close or reduce operations pursuant to a state or federal executive order
3.32 issued during a public health emergency.

4.1 (g) An individual has good cause to refuse an offer of employment or reemployment
4.2 from a meat-processing employer if the conditions of work would require the individual to
4.3 violate government public health guidance or to assume an unreasonable health risk.

4.4 (h) An individual has good cause to refuse an offer of employment or reemployment
4.5 from a meat-processing employer if the individual is required to care for a child whose
4.6 school is closed due to a public health emergency or if the individual is required to otherwise
4.7 care for a family or household member during a public health emergency.

4.8 (i) The commissioner of employment and economic development may enforce and
4.9 administer this section.

4.10 Sec. 6. [179.875] ENFORCEMENT AND COMPLIANCE.

4.11 Subdivision 1. **Administrative enforcement.** The coordinator, either on the coordinator's
4.12 initiative or in response to a complaint, may inspect a meatpacking operation and subpoena
4.13 records and witnesses. If a meat-processing employer does not comply with the coordinator's
4.14 inspection, the coordinator may seek relief as provided in this section.

4.15 Subd. 2. **Compliance authority.** The commissioner of labor and industry may issue a
4.16 compliance order under section 177.27, subdivision 4, requiring an employer to comply
4.17 with sections 179.87 to 179.8757.

4.18 Subd. 3. **Private civil action.** If a meat-processing employer does not comply with a
4.19 provision in sections 179.87 to 179.8757, an aggrieved worker, authorized employee
4.20 representative, or other person may bring a civil action in a court of competent jurisdiction
4.21 within three years of an alleged violation and, upon prevailing, must be awarded the relief
4.22 provided in this section. Pursuing administrative relief is not a prerequisite for bringing a
4.23 civil action.

4.24 Subd. 4. **Other government enforcement.** The attorney general may enforce sections
4.25 179.87 to 179.8757 under section 8.31. A city or county attorney may also enforce these
4.26 sections. Such law enforcement agencies may inspect meatpacking operations and subpoena
4.27 records and witnesses and, where such agencies determine that a violation has occurred,
4.28 may bring a civil action as provided in this section.

4.29 Subd. 5. **Relief.** (a) In a civil action or administrative proceeding brought to enforce
4.30 sections 179.87 to 179.8757, the court or coordinator must order relief as provided in this
4.31 subdivision.

4.32 (b) For any violation of sections 179.87 to 179.8757:

5.1 (1) an injunction to order compliance and restrain continued violations, including through
5.2 a stop work order or business closure;

5.3 (2) payment to a prevailing worker by a meat-processing employer of reasonable costs,
5.4 disbursements, and attorney fees; and

5.5 (3) a civil penalty payable to the state of not less than \$100 per day per worker affected
5.6 by the meat-processing employer's noncompliance with sections 179.87 to 179.8757.

5.7 (c) For any violation of section 179.872:

5.8 (1) reinstatement of the worker to the same position held before any adverse personnel
5.9 action or to an equivalent position, reinstatement of full fringe benefits and seniority rights,
5.10 and compensation for unpaid wages, benefits and other remuneration, or front pay in lieu
5.11 of reinstatement; and

5.12 (2) compensatory damages payable to the aggrieved worker equal to the greater of \$5,000
5.13 or twice the actual damages, including unpaid wages, benefits and other remuneration, and
5.14 punitive damages.

5.15 Subd. 6. **Whistleblower enforcement; penalty distribution.** (a) The relief provided in
5.16 this section may be recovered through a private civil action brought on behalf of the
5.17 commissioner in a court of competent jurisdiction by another individual, including an
5.18 authorized employee representative, pursuant to this subdivision.

5.19 (b) The individual must give written notice to the coordinator of the specific provision
5.20 or provisions of sections 179.87 to 179.8757 alleged to have been violated. The individual
5.21 or representative organization may commence a civil action under this subdivision if no
5.22 enforcement action is taken by the coordinator within 30 days.

5.23 (c) Civil penalties recovered pursuant to this subdivision must be distributed as follows:

5.24 (1) 70 percent to the commissioner for enforcement of sections 179.87 to 179.8757; and

5.25 (2) 30 percent to the individual or authorized employee representative.

5.26 (d) The right to bring an action under this subdivision shall not be impaired by private
5.27 contract. A public enforcement action must be tried promptly, without regard to concurrent
5.28 adjudication of a private claim for the same alleged violation.

6.1 Sec. 7. [179.8755] RETALIATION AGAINST EMPLOYEES AND
6.2 WHISTLEBLOWERS PROHIBITED.

6.3 (a) No meat-processing employer or other person may discriminate or take adverse
6.4 action against any worker or other person who raises a concern about meatpacking operation
6.5 health and safety practices or hazards to the employer, the employer's agent, other workers,
6.6 a government agency, or to the public, including through print, online, social, or any other
6.7 media.

6.8 (b) If an employer or other person takes adverse action against a worker or other person
6.9 within 90 days of the worker's or person's engagement or attempt to engage in activities
6.10 protected by sections 179.87 to 179.8757, such conduct raises a presumption that the action
6.11 is retaliatory. The presumption may be rebutted by clear and convincing evidence that the
6.12 action was taken for other permissible reasons.

6.13 (c) No meat-processing employer or other person may attempt to require any worker to
6.14 sign a contract or other agreement that would limit or prevent the worker from disclosing
6.15 information about workplace health and safety practices or hazards, or to otherwise abide
6.16 by a workplace policy that would limit or prevent such disclosures. Any such agreements
6.17 or policies are hereby void and unenforceable as contrary to the public policy of this state.
6.18 An employer's attempt to impose such a contract, agreement, or policy shall constitute an
6.19 adverse action enforceable under sections 179.87 to 179.8757.

6.20 (d) Reporting or threatening to report a meat-processing worker's suspected citizenship
6.21 or immigration status, or the suspected citizenship or immigration status of a family member
6.22 of the worker, to a federal, state, or local agency because the worker exercises a right under
6.23 sections 179.87 to 179.8757 constitutes an adverse action for purposes of establishing a
6.24 violation of that worker's rights. For purposes of this paragraph, "family member" means a
6.25 spouse, parent, sibling, child, uncle, aunt, niece, nephew, cousin, grandparent, or grandchild
6.26 related by blood, adoption, marriage, or domestic partnership.

6.27 (e) Any worker who brings a complaint under sections 179.87 to 179.8757 and suffers
6.28 retaliation is entitled to treble damages in addition to lost pay and recovery of attorney fees
6.29 and costs.

6.30 (f) Any company who is found to have retaliated against a food processing worker must
6.31 pay a fine of up to \$..... to the commissioner.

7.1 Sec. 8. [179.8756] MEATPACKING WORKER CHRONIC INJURIES AND
7.2 WORKPLACE SAFETY.

7.3 Subdivision 1. Safe worker program required; facility committee. (a) Meat-processing
7.4 employers must adopt a safe worker program as part of the employer's work accident and
7.5 injury reduction program to minimize and prevent musculoskeletal disorders. For purposes
7.6 of this section, "musculoskeletal disorders" includes carpal tunnel syndrome, tendinitis,
7.7 rotator cuff injuries, trigger finger, epicondylitis, muscle strains, and lower back injuries.

7.8 (b) The meat-processing employer's safe worker program must be developed and
7.9 implemented by a committee of individuals who are knowledgeable of the tasks and work
7.10 processes performed by workers at the employer's facility. The committee must include:

7.11 (1) a certified professional ergonomist;

7.12 (2) a licensed, board-certified physician, with preference given to a physician who has
7.13 specialized experience and training in occupational medicine, or if it is not practicable for
7.14 a physician to be a member of the committee, the employer must ensure that its safe worker
7.15 program is reviewed and approved by a licensed, board-certified physician, with preference
7.16 given to a physician who has specialized experience and training in occupational medicine;
7.17 and

7.18 (3) at least three workers employed in the employer's facility who have completed a
7.19 general industry outreach course approved by the commissioner, one of whom must be an
7.20 authorized employee representative if the employer is party to a collective bargaining
7.21 agreement.

7.22 Subd. 2. Program elements. (a) The committee must establish written procedures to
7.23 identify ergonomic hazards and contributing risk factors, which must include:

7.24 (1) the ergonomic assessment tools used to measure ergonomic hazards;

7.25 (2) all jobs where the committee has an indication or knowledge that ergonomic hazards
7.26 may exist; and

7.27 (3) workers who perform the same job or a sample of workers in that job who have the
7.28 greatest exposure to the ergonomic hazard.

7.29 (b) The committee must conduct ergonomic assessments to identify hazards and
7.30 contributing risk factors; review all surveillance data at least quarterly to identify ergonomic
7.31 hazards and contributing risk factors; and maintain records of the hazard identification
7.32 process, which, at a minimum, must include the completed ergonomic assessment tools,

8.1 the results of the ergonomic assessments including the jobs and workers evaluated, and the
8.2 assessment dates.

8.3 (c) The committee must implement a written ergonomic hazard prevention and control
8.4 plan to identify and select methods to eliminate, prevent, or control the ergonomic hazards
8.5 and contributing risk factors. The plan must:

8.6 (1) set goals, priorities, and a timeline to eliminate, prevent, or control the ergonomic
8.7 hazards and contributing risk factors identified;

8.8 (2) identify the person or persons responsible for ergonomic hazard assessments and
8.9 implementation of controls;

8.10 (3) rely upon the surveillance data and the ergonomic risk assessment results; and

8.11 (4) take into consideration the severity of the risk, the numbers of workers at risk, and
8.12 the likelihood that the intervention will reduce the risk.

8.13 (d) A meat-processing employer must control, reduce, or eliminate ergonomic hazards
8.14 which lead to musculoskeletal disorders to the extent feasible by using engineering, work
8.15 practice, and administrative controls.

8.16 (e) The committee must monitor at least annually the implementation of the plan including
8.17 the effectiveness of controls and evaluate progress in meeting program goals.

8.18 Subd. 3. **New employee training.** (a) A meat-processing employer must work with the
8.19 committee to provide each new employee with information regarding:

8.20 (1) the committee and its members;

8.21 (2) the facility's hazard prevention and control plan;

8.22 (3) early signs and symptoms of musculoskeletal injuries and the procedures for reporting
8.23 them;

8.24 (4) procedures for reporting other injuries and hazards;

8.25 (5) engineering and administrative hazard controls implemented in the workplace,
8.26 including ergonomic hazard controls; and

8.27 (6) the availability and use of personal protective equipment.

8.28 (b) A meat-processing employer must work with the committee and ensure that new
8.29 workers receive safety training prior to starting a job that the worker has not performed
8.30 before. The employer must provide the safety training during working hours and compensate
8.31 the new employee at the employee's standard rate of pay. The employer also must give a

9.1 new employee an opportunity within 30 days of the employee's hire date to receive a refresher
9.2 training on the topics covered in the new worker safety training. The employer must provide
9.3 new employee training in a language and with vocabulary that the employee can understand.

9.4 Subd. 4. **New task and annual safety training.** (a) Meat-processing employers must
9.5 provide every worker who is assigned a new task if the worker has no previous work
9.6 experience with training on how to safely perform the task, the ergonomic and other hazards
9.7 associated with the task, and training on the early signs and symptoms of musculoskeletal
9.8 injuries and the procedures for reporting them. The employer must give a worker an
9.9 opportunity within 30 days of receiving the new task training to receive refresher training
9.10 on the topics covered in the new task training. The employer must provide this training in
9.11 a language and with vocabulary that the employee can understand.

9.12 (b) Meat-processing employers must provide each worker with no less than eight hours
9.13 of safety training each year. This annual training must address health and safety topics that
9.14 are relevant to the establishment, such as cuts, lacerations, amputations, machine guarding,
9.15 biological hazards, lockout/tagout, hazard communication, ergonomic hazards, and personal
9.16 protective equipment. At least two of the eight hours of annual training must be on topics
9.17 related to the facility's ergonomic injury prevention program, including the assessment of
9.18 surveillance data, the ergonomic hazard prevention and control plan, and the early signs
9.19 and symptoms of musculoskeletal disorders and the procedures for reporting them. The
9.20 employer must provide this training in a language and with vocabulary that the employee
9.21 can understand.

9.22 Subd. 5. **Attestation and record keeping.** Meat-processing employers must maintain
9.23 a written attestation dated and signed by each person who provides training and each
9.24 employee who receives training pursuant to this section. This attestation must certify that
9.25 the employer has provided training consistent with the requirements of this section. The
9.26 employer must ensure that these records are up to date and available to the commissioner,
9.27 the coordinator, and the authorized employee representative upon request.

9.28 Subd. 6. **Medical services and qualifications.** (a) Meat-processing employers must
9.29 ensure that:

9.30 (1) all first-aid providers, medical assistants, nurses, and physicians engaged by the
9.31 employer are licensed and perform their duties within the scope of their licensed practice;

9.32 (2) medical management of musculoskeletal disorders is under direct supervision of a
9.33 licensed physician specializing in occupational medicine who will advise on best practices
9.34 for management and prevention of work-related musculoskeletal disorders; and

10.1 (3) medical management of musculoskeletal injuries follows the most current version
10.2 of the American College of Occupational and Environmental Medicine practice guidelines.

10.3 (b) Meat-processing employers must make a record of all worker visits to medical or
10.4 first aid personnel, regardless of severity or type of illness or injury, and make these records
10.5 available to the coordinator and the authorized employee representative.

10.6 (c) Meat-processing employers must maintain records of all ergonomic injuries suffered
10.7 by workers for at least five years.

10.8 (d) The coordinator may compile, analyze, and publish annually, either in summary or
10.9 detailed form, all reports or information obtained under sections 179.87 to 179.8757,
10.10 including information about safe worker programs, and may cooperate with the United
10.11 States Department of Labor in obtaining national summaries of occupational deaths, injuries,
10.12 and illnesses. The coordinator must preserve the anonymity of each employee with respect
10.13 to whom medical reports or information is obtained.

10.14 (e) Meat-processing employers must not institute or maintain any program, policy, or
10.15 practice that discourages employees from reporting injuries, hazards, or safety standard
10.16 violations.

10.17 Subd. 7. **Rulemaking required.** The commissioner must adopt rules requiring employers
10.18 to maintain accurate records of meat-processing worker exposure to ergonomic hazards.

10.19 Subd. 8. **Pandemic protections.** (a) This subdivision applies during a peacetime public
10.20 health emergency declared under section 12.31, subdivision 2.

10.21 (b) Meat-processing employers must maintain at least a six-foot radius of space around
10.22 and between each worker. An employer may accomplish such distancing by increasing
10.23 physical space between workstations, slowing production speeds, staggering shifts and
10.24 breaks, adjusting shift size, or a combination thereof. The employer must reconfigure
10.25 common or congregate spaces to allow for such distancing, including lunch rooms, break
10.26 rooms, and locker rooms. The coordinator must reinforce social distancing by allowing
10.27 workers to maintain six feet of distance along with the use of plastic barriers.

10.28 (c) Meat-processing employers must provide employees with face masks and must make
10.29 face shields available on request. Face masks, including replacement face masks, and face
10.30 shields must be provided at no cost to the employee. All persons present at the meatpacking
10.31 operation must wear face masks in the facility except in those parts of the facility where
10.32 infection risk is low because workers work in isolation.

11.1 (d) Meat-processing employers must provide all meat-processing workers with the ability
11.2 to frequently and routinely sanitize their hands with either hand-washing or hand-sanitizing
11.3 stations. The employer must ensure that restrooms have running hot and cold water and
11.4 paper towels and are in sanitary condition. The employer must provide gloves to those who
11.5 request them.

11.6 (e) Meat-processing employers must clean and regularly disinfect all frequently touched
11.7 surfaces in the workplace, such as workstations, training rooms, machinery controls, tools,
11.8 protective garments, eating surfaces, bathrooms, showers, and other similar areas. Employers
11.9 must install and maintain ventilation systems that ensure unidirectional air flow, outdoor
11.10 air, and filtration in both production areas and common areas such as cafeterias and locker
11.11 rooms.

11.12 (f) Meat-processing employers must disseminate all required communications, notices,
11.13 and any published materials regarding these protections in English, Spanish, and other
11.14 languages as required for employees to understand the communication.

11.15 (g) Meat-processing employers must provide adequate break time for workers to use
11.16 the bathroom, wash their hands, and don and doff protective equipment.

11.17 (h) Meat-processing employers must provide sufficient personal protective equipment
11.18 for each employee for each shift, plus replacements, at no cost to the employee.
11.19 Meat-processing employers must provide training in proper use of personal protective
11.20 equipment, safety procedures, and sanitation.

11.21 (i) As part of the meat-processing employer's accident, injury, and illness reduction
11.22 program, the employer must create a health and safety committee consisting of equal parts
11.23 company management, employees, and authorized employee representatives. The health
11.24 and safety committee must meet at least twice a year and present results to the commissioner.
11.25 If the meatpacking operation has no collective bargaining agreement, a local labor
11.26 representative must be appointed.

11.27 (j) Meat-processing employers must record all injuries and illnesses in the facility and
11.28 make these records available upon request to the health and safety committee. The employer
11.29 also must make its records available to the commissioner, and where there is a collective
11.30 bargaining agreement, to the authorized bargaining representative.

11.31 (k) Meat-processing employers must provide paid sick time for workers to recuperate
11.32 from illness or injury or to care for ill family members. For purposes of this paragraph,
11.33 "family member" includes:

12.1 (1) biological, adopted, or foster children, stepchildren, children of domestic partners
12.2 or spouses, and legal wards of workers;

12.3 (2) biological parents, stepparents, foster parents, adoptive parents, or legal guardians
12.4 of a worker or a worker's spouse or domestic partner;

12.5 (3) a worker's legally married spouse or domestic partner as registered under the laws
12.6 of any state or political subdivision;

12.7 (4) a worker's grandparent, whether from a biological, step-, foster, or adoptive
12.8 relationship;

12.9 (5) a worker's grandchild, whether from a biological, step-, foster, or adoptive
12.10 relationship;

12.11 (6) a worker's sibling, whether from a biological, step-, foster, or adoptive relationship;
12.12 and

12.13 (7) any other individual related by blood or affinity to the worker whose association
12.14 with the worker is the equal of a family relationship.

12.15 (l) All meat-processing workers must accrue at least one hour of paid sick time for every
12.16 30 hours worked. For purposes of this paragraph, paid sick time means time that is
12.17 compensated at the same hourly rate, including the same benefits, as is normally earned by
12.18 the worker.

12.19 (m) Meat-processing employers may provide all paid sick time a worker is expected to
12.20 accrue at the beginning of the year or at the start of the worker's employment.

12.21 (n) Meat-processing employers must carry an employee's earned paid sick time over
12.22 into the following calendar year. If a worker does not wish to carry over sick time, the
12.23 meat-processing employer must pay the worker for accrued sick time. If a worker chooses
12.24 to receive pay in lieu of carried-over sick time, the employer must provide the worker with
12.25 an amount of paid sick time that meets or exceeds the requirements of sections 179.87 to
12.26 179.8757, to be available for the worker's immediate use at the start of the following calendar
12.27 year.

12.28 (o) Meat-processing employers must maintain records for at least three years showing
12.29 hours worked and paid sick time accrued and used by workers. Employers must allow the
12.30 commissioner and coordinator access to these records in order to ensure compliance with
12.31 the requirements of sections 179.87 to 179.8757.

13.1 (p) If a meat-processing employer transfers a worker to another division or location of
13.2 the same meat-processing employer, the worker is entitled to all earned paid sick time
13.3 accrued in the worker's previous position. If a worker is separated from employment and
13.4 rehired within one year by the same meat-processing employer, the meat-processing employer
13.5 must reinstate the worker's earned sick time to the level accrued by the worker as of the
13.6 date of separation.

13.7 (q) If a meat-processing employer is succeeded by a different employer, all workers of
13.8 the original employer are entitled to all earned paid sick time they accrued when employed
13.9 by the original employer.

13.10 (r) Meat-processing employers must not require workers to find or search for a
13.11 replacement worker to take the place of the worker as a condition of the worker using paid
13.12 sick time.

13.13 (s) Meat-processing employers must not require workers to disclose details of private
13.14 matters as a condition of using paid sick time, including details of a worker or family
13.15 member's illness, domestic violence, sexual abuse or assault, or stalking and harassment.
13.16 If the employer does possess such information, it must be treated as confidential and not
13.17 disclosed without the express permission of the worker.

13.18 (t) Meat-processing employers must provide workers written notice of their rights and
13.19 the employer's requirements under this section at the time the worker begins employment.
13.20 This notice must be provided in English, Spanish, or the employee's language of fluency.
13.21 The amount of paid sick time a worker has accrued, the amount of paid sick time a worker
13.22 has used during the current year, and the amount of pay the worker has received as paid
13.23 sick time must be recorded on or attached to the worker's paycheck. Meat-processing
13.24 employers must display a poster in a conspicuous location in each facility where workers
13.25 are employed that displays the information required under this paragraph. The poster must
13.26 be displayed in English and any language of fluency that is read or spoken by at least five
13.27 percent of the employer's workers.

13.28 (u) Nothing in this subdivision shall be construed to:

13.29 (1) prohibit or discourage an employer from adopting or retaining a paid sick time policy
13.30 that is more generous than the one provided in this subdivision;

13.31 (2) diminish the obligation of an employer to comply with a collective bargaining
13.32 agreement, or any other contract that provides more generous paid sick time to a worker
13.33 than provided for in this subdivision; or

14.1 (3) override any provision of local law that provides greater rights for paid sick time
14.2 than is provided for in this subdivision.

14.3 **Sec. 9. [179.8757] NOTIFICATION REQUIRED.**

14.4 (a) Meat-processing employers must provide written information and notifications about
14.5 employee rights under section 179.86 and sections 179.87 to 179.8757 to workers in their
14.6 language of fluency at least annually. If a worker is unable to understand written information
14.7 and notifications, the employer must provide such information and notices orally in the
14.8 worker's language of fluency.

14.9 (b) The coordinator must notify covered employers of the provisions of sections 179.87
14.10 to 179.8757 and any recent updates at least annually.

14.11 (c) The coordinator must place information explaining sections 179.87 to 179.8757 on
14.12 the Department of Labor and Industry's website in at least English, Spanish, and any other
14.13 language that at least ten percent of meat-processing workers communicate in fluently. The
14.14 coordinator must also make the information accessible to persons with impaired visual
14.15 acuity.

14.16 **Sec. 10. APPROPRIATIONS.**

14.17 \$344,000 in fiscal year 2022 and \$147,000 in fiscal year 2023 are appropriated from the
14.18 general fund to the commissioner of labor and industry for purposes of this act.