

Minnesota Association of Townships



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Rep Baker

Re: Paid Family Leave Program

Dear Rep. Baker,

The Minnesota Association of Townships represents nearly all of Minnesota's 1,776 townships. That amounts to nearly 9,000 township officers who in turn represent approximately 900,000 residents of the State of Minnesota. As a unit of government, we are distinguished by our grassroots nature—we are small, rural, and the vast majority of our members have no employees. In fact, a number of our members do not even have a town hall—instead choosing to hold public meetings in someone's home. It is often the elected officials themselves who are doing things like chainsawing trees off the roads, doing the weed inspections, running the grader, or the other innumerable small tasks that make up a functioning local government.

I write because at present, the paid family medical leave program does not exclude elected officials. In fact, given the failure of the law to address the subject, together with explicit carve-outs in similar laws, it would appear to us that the law does include them. *C.f.* Minn. Stat. § 268.035 subd. 20 (10) and Minn. Stat. 181.9445 subd. 5 (3) with the future 268B.01 subd. 17.

Town boards already had paid leave to the extent that they wanted it; they set their own hours, compensation, and schedules. Minn. Stat. § 367.05. Moreover, the employment protection provisions simply don't apply to us—if our voters decide they don't like how much time a particular board member is taking off, they remain entitled to turn them out of office for that reason. As a result, for most of our members, this program amounts to a burdensome recordkeeping requirement that provides no meaningful benefits. Particularly for our smaller members, who sometimes lack internet access or physical facilities, the additional burden of keeping a new set of records is not a small matter. Unfortunately when you are dealing with organizations as small as the average township, that often means that additional costs (like recordkeeping) need to be passed on to the taxpayers. We would ask you to consider potentially modifying the program to exclude elected officials or to at least permit them to opt out. Thank you for your consideration!

Graham Berg-Moberg
In-house Counsel
Minnesota Association of Townships