

## S.F. No. 58 – Warehouse distribution worker safety (2<sup>nd</sup> Engrossment)

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S.F. 58 establishes worker safety requirements for warehouse distribution centers.

### Section 1. [§ 182.6526] **Warehouse distribution worker safety.**

Subdivision 1. **Definitions.** Provides definitions of terms used in the bill including “commissioner,” “employee,” “work speed data,” “employer,” “nonexempt employee,” “warehouse distribution center,” and “quota.” Applies to employers with 250 or more employees at one warehouse distribution center or 1,000 or more employees at one or more warehouse distribution centers in Minnesota.

Subdivision 2. **Written description required.** Requires an employer to provide an employee with a written description of each quota to which the employee is subject, how it is measured, and any potential adverse employment action that could result from failure to meet the quota. Specifies that the description be provided when the employee is hired or within 30 days of the effective date and then no fewer than two working days prior to the effective date of a modification of a quota. Prohibits an adverse employment action against an employee for failure to meet an undisclosed quota.

Subdivision 3. **Breaks.** Prohibits an employer from requiring an employee to meet a quota that prevents compliance with meal or rest or prayer periods, use of restroom facilities, or occupational health and safety standards. Prohibits an adverse employment action against an employee under this subdivision.

Subdivision 4. **Work speed data.** Allows employees to request their work speed data from their employer for the most recent 90 days either orally or in writing up to four times a year. Requires employers to provide the data within 72 hours and when an employee is disciplined or fired for failing to meet a quota. Prohibits retaliation against an employee for requesting this data.

Subdivision 5. **High rates of injury.** Requires the commissioner of labor and industry to investigate violations under this section if OSHA data shows a 30 percent higher than the year’s average

incidence rate for nonfatal occupational injuries and illnesses. Requires monthly safety meetings until the incidence rates fall below 30 percent higher than the average for two years.

Subdivision 6. **Enforcement.** Provides enforcement by the commissioner of labor and industry, as provided under existing law. Allows the commissioner to inspect and investigate and issue written citations for violations, set a reasonable timeline to correct violations, and impose a penalty. Also creates a private civil cause of action for an employee aggrieved by violations of this section. Allows an employee to receive damages and costs, an injunction to comply, and other equitable relief determined by the district court, including reinstatement with back pay. Requires a cause of action to be commenced within one year of the date of injury.

Section 2. **Appropriation.** Appropriates money from the workers' compensation fund to the commissioner of labor and industry for enforcement and other duties regarding warehouse distribution workers safety.