



Northwestern Minnesota Synod  
Evangelical Lutheran Church in America

**2025 Compensation Guidelines**  
for Synod Authorized Ministers

# TABLE OF CONTENTS

Synod Compensation Guidelines: A Resource to Assist Congregations/Parishes and Church Workers	3
Introduction: How Our Faith Informs Us.....	4
I. MAKING COMPENSATION DECISIONS.....	5
II. COMPENSATION FOR SYNOD AUTHORIZED MINISTERS (SAMs).....	5
III. PROVISIONS THAT NORMALLY APPLY TO ALL EMPLOYEES OF CONGREGATIONS/PARISHES.....	8
Appendix A: Northwestern Minnesota Synod Travel Expense Reimbursement.....	10
Appendix B: Compensation Worksheet for SAMs.....	11
Appendix C: Resources for Personnel and Compensation Issues in Congregations/Parishes of the ELCA .....	12
Attachment -- Sample Notice to Employees--Earned Sick and Safe Time.....	13
Attachment -- State of MN Employee Sick and Safe Leave.....	14

## **Synod Compensation Guidelines:** **A Resource to Assist Congregations/Parishes and Church Workers**

The Northwestern Minnesota Synod has prepared the following 2024 Compensation Guidelines for use by congregation councils, parishes, other ministry agencies, and church workers. These guidelines offer guidance regarding the minimum levels of compensation that are appropriate for rostered ministers, Synod Authorized Ministers and non-rostered employees of congregations/parishes in the synod.

These guidelines are designed to be a *resource* to *assist* church leaders in compensating church workers in ways that are fair, supportive and mission-driven. These are recommendations, not legislative mandates. They are meant to be helpful, not dictatorial. Those who have drafted these guidelines hope that this resource will allow compensation planning to occur in such a way that the partnership between the Evangelical Lutheran Church in America, the synod, the congregation/parish and all church workers will be strengthened.

How have these guidelines been created?

- First, they were drafted by a team of laity, rostered ministers, and synod staff members.
- Second, these guidelines have been reviewed by the Synod Council, which is made up of laity and rostered ministers from each of the synod's eight conferences.
- Upon the recommendation of the Synod Council, these guidelines were reviewed, discussed and approved by the Northwestern Minnesota Synod Assembly, to which every congregation/parish in the synod is responsible to send voting members.

Throughout the process there has been considerable input from both lay leaders and church workers.

As you use these guidelines, please keep in mind that Ministers of Word and Sacrament, Ministers of Word of Service, and other church workers are valuable resources for the whole church. Rostered ministers, in particular, are called to serve the whole church. When a rostered minister is called to serve a congregation/parish, there are four partners to this process:

- A. **God**, who calls persons into ministries, through the church;
- B. **The congregation/parish** which issues the Letter of Call;
- C. **The rostered minister** who accepts the call; and
- D. **The synod** which supports the call process, with the synod bishop attesting each Letter of Call.

The compensation provided to a rostered minister is part of the Letter of Call documents that represent a covenant among all parties. This call may not be altered without consultation and agreement from all parties. Thus it is important that all negotiations for change in compensation be done in conversation with the rostered minister and congregation/parish.

Finally, it goes without saying that compensation decisions should be viewed in light of other significant commitments by a congregation/parish—such as a commitment to justice for church staff persons and a commitment to supporting the work of the wider church through ELCA/synod mission support. If a congregation/parish is chronically under-compensating its staff, or if a congregation/parish is compensating staff in ways that are significantly higher than synod guidelines, it may be important to ponder the implications of this and consider alternatives. Congregation leaders are encouraged to consult with the synod bishop or a member of the synod pastoral staff in such discussions.

We warmly commend these compensation guidelines to the congregations and church workers of our synod.

Synod Council of the Northwestern Minnesota Synod  
Evangelical Lutheran Church in America  
*Wholly Devoted to Loving God and Loving Our Neighbor*

## **Introduction: How Our Faith Informs Us**

Decisions about compensation for rostered ministers<sup>1</sup> and other church workers, like other issues the church faces, are best made in light of our core biblical and theological convictions. What are some of the faith commitments that will influence our approach to this important subject?

1. Our starting point is that the grace of God in Jesus Christ can be neither bought nor sold. God insists on giving it freely. Indeed, all Christians receive in baptism a call to serve and proclaim the Good News of God's undeserved love in Jesus Christ.
2. All Christians are to declare the gospel, especially to those who have never heard it. Within the church, however, some are called to make this task a major occupational commitment. Some members of the church are asked to devote a significant amount of their time and energy to the ministry of equipping all of God's people for service in the world. When the church calls such persons to dedicate so much of their lives to public ministries that they cannot be employed elsewhere, the church takes upon itself a responsibility to pay those persons an appropriate wage.
3. The principle that laborers deserve their food (Matthew 10:10) is attested throughout the scriptures. In the Old Testament, priests were granted a portion of the sacrifices made by the people; tithes and other offerings were received to support God's servants. In the New Testament, Paul speaks of the duty of churches to support their leaders, even though Paul chose to waive this right for himself (I Corinthians 9).
4. Insofar as the church is institutionally embodied, it is subject to the same standards of justice to which all human institutions are accountable. The church, however, is more than a human institution. At a deeper level, the church is the community of faith drawn together by God around the Word and Sacraments, empowered for witness in the world. Pastors, deacons and other lay staff are simultaneously *employed* by congregations/parishes and *called* by the church to be fellow workers with all of God's people in the Body of Christ.

As churches/parishes and ministry agencies make decisions about compensation for staff members, they will bear in mind the identity and calling that are ours in Jesus Christ. Compensation decisions should be made in such a way that (a) God's mission flourishes, (b) staff members are cherished as servants of God, (c) there is a sense of faithful partnership between church members and staff members, and (d) all areas of the church's ministry thrive.

The following guidelines are designed to assist congregations/parish and ministry agencies (hereafter referred to simply as "congregations/parishes")<sup>2</sup> as they make decisions regarding the compensation of rostered ministers and non-rostered church staff. For additional assistance in determining a fair salary and benefits package for rostered ministers, please contact a member of the synod pastoral staff.

---

<sup>1</sup> For the purpose of this document, the term rostered minister refers to a person who is on the roster of Ministry of Word and Sacrament or Ministry of Word and Service of the Evangelical Lutheran Church in America.

<sup>2</sup> "Ministry agencies" include organizations such as Bible camps, long-term care facilities, hospitals, campus ministries, etc.

*Adapted from a document used in the Southwestern Minnesota Synod.*

## **I. MAKING COMPENSATION DECISIONS**

The synod recommends that each congregation/parish have a *Personnel Committee* with a minimum of three persons, whose responsibilities would be:

- to develop, review, and revise personnel policies for the congregation/parish;
- to draft and periodically revise clear ministry descriptions (job descriptions) for each employee;
- to provide for regular (annual or semi-annual) evaluation of all members of the staff that includes goal review and goal setting;
- to assist with any needs, concerns, problems that may arise among the members of the staff; rostered ministers, and support staff;
- to meet annually with each staff member to discuss compensation needs and concerns;
- to recommend to the budgeting body (e.g. congregation/parish council, board of trustees, etc.) specific salary and benefits for each staff member;
- to advocate with the budgeting body on behalf of each staff member's compensation needs.

In congregations/parishes, compensation packages for staff persons should be set by the congregation/parish council or whichever elected body has the responsibility and authority to manage the fiscal affairs of the congregation/parish. This should be done in consultation with the staff person(s) and Personnel Committee with possible input from the Mutual Ministry Committee as an advocate for the staff person. *Congregation meetings are too large to be deliberative regarding specific compensation packages.* Facts necessary for responsible decisions about compensation are not always available to all members of the congregation/parish. The council should place the recommended compensation package(s) in the budget and present it to the congregation(s)/parish for ratification at the annual meeting (or at a special congregation meeting when a new call is being extended).

Starting on January 1, 2024, all employers in the State of Minnesota, including congregations, are required to comply with Minnesota's "Safe and Sick" law. This also applies to rostered ministers. Two attachments are included at the end of these guidelines which explain how to comply with this law.

It is helpful if the **compensation review** is held in the fall as part of the budget process.

- An annual compensation review is normally conducted by the Personnel Committee using these guidelines as the basis for the review. The Personnel Committee makes its recommendation to the appropriate budget-drafting committee and/or to the congregation council.

For help in establishing a Personnel Committee, please refer to the resources listed in *Appendix C - Pastor and People: Making Mutual Ministry Work*, Augsburg Fortress. You may also contact a member of the synod pastoral staff for assistance.

## **II. COMPENSATION FOR SYNOD AUTHORIZED MINISTERS (SAMs)**

These guidelines have been developed by the Northwestern Minnesota Synod with respect to provisions 7.31.01 and 7.31.02 in the Constitution and Bylaws of the Evangelical Lutheran Church in America. Synod Authorized Ministers are lay persons serving in settings normally served by rostered ministers. Lay people who serve in such settings are not rostered by the Evangelical Lutheran Church in America but are authorized by the bishop of the synod to provide a *particular* ministry within a setting for a *specified* period of time. Because this *specific* period of time is usually short in duration, congregations/parish do not normally provide housing allowance or pension and other benefits.

### **A. Education and Support**

#### ***1. Mentorship***

Lay Synod Authorized Ministers often begin their work with little or no experience or prior education/training. We allow this in Northwestern Minnesota because of the active role of the "Mentor Pastor" who provides a kind of "on the job" training or apprenticeship. Except in some cases in which the Mentor is also a pastor called to serve in the

same congregation or parish, Mentors are compensated for their time at the rate of \$75 per contact hour. A “Mentor Agreement” is created at the start of the SAM’s work, and this agreement spells out how many hours of mentorship will be required for the kind of work being expected of the SAM. From this agreement, the congregation can establish a budget for the cost of Mentorship and include that as part of its budgeted cost of having a SAM. These agreements are revised each year, and the cost of ongoing Mentorship can be expected to go down with each subsequent year of service. Even long-serving SAMs meet with their mentors a minimum of once a quarter, however.

## **2. Initial Education and Training**

Each SAM must complete the 6 core courses within the first two years of their service, and they are encouraged to endeavor to complete them in one year. The Northwestern Minnesota Synod provides a variety of pathways to receiving this training. Most of these involve some cost, of up to \$2,300 per year, including travel, etc. As with Mentorship, it is the congregation’s responsibility to cover the cost of this training.

## **3. Continuing Education**

All professional ministers of this church, both rostered and lay, are required to complete 15 hours a year of continuing education. After the SAM’s initial training is completed, they’ll still need to give attention to their on-going development through continuing education. \$1,000 per year is the recommended amount that the congregation should budget to cover the cost of the SAM’s annual continuing education.

## **4. Other Supports and Education**

Just as we do for rostered ministers, we also provide other avenues of support and education for SAMs. These include the following:

- a. An annual SAM retreat – Each SAM will select from one of two offerings for their annual retreat which focuses on some aspect of ministry that has been identified by our SAMs as a growth area. There is a minimal cost of under \$100 and there may also be some minimal travel expenses. These costs should be covered by the congregation.
- b. A SAM affinity group – The Synod offers a monthly on-line gathering of SAMs that is moderated by a professional coach. This is free of charge to the SAM
- c. The Annual Fall Theology for Ministry Conference – This 2 and a half -day conference is expected for all rostered and lay ministers, and the cost of covered by the congregation or parish.
- d. The Annual Spring Joint Theology Day – attendance at this one-day conference is expected of all rostered and lay ministers and the more minimal cost (\$50) is usually covered by the congregation.

## **B. Salary**

In providing a fair salary for Synod Authorized Ministers, it is important to consider the responsibilities assigned to the individual and the time needed to accomplish those duties. Based on a forty-hour work week the synod suggests a **minimum starting salary** between \$42,000-\$50,000 depending on education and years of *pertinent* experience. For subsequent years of service, we suggest a multiplier of 2% for each year of additional service as a SAM. For part-time service, which does not include benefits, we recommend calculating the salary using the formula of \$38-\$42 per hour, depending on years of experience, education, etc.

## **C. Social Security**

Synod Authorized Ministers are considered employees for Social Security purposes. The Synod Authorized Minister and the congregation/parish pay equally as provided by law, i.e. each pays 7.65% of salary.

## **D. ELCA Pension and Other Benefits Plan**

Because Synod Authorized Ministers often serve a congregation/parish for less than a year these benefits are not usually provided. Special consideration should be given in long-term SAM settings.

## **E. Travel Expense Reimbursement**

If a non-rostered church worker is expected to travel on behalf of the congregation/parish and its ministries, he/she should be reimbursed at the IRS mileage rate.

## **F. Professional Expense Reimbursement**

It is recommended that professional expenses such as books, vestments, periodicals, professional dues, entertaining, communication (basic cell phone) and hospitality costs incurred in the performance of the duties of the position be shared by the congregation/parish.

## G. Sabbath Rest and Time Off

Because most Synod Authorized Ministers function in the place of a Minister of Word and Sacrament, they should be regarded as pastors are regarded with respect to Sabbath rest, vacation and holidays.

Adequate time off for rostered ministers is essential. It is recommended that vacation time be 4 weeks (including 4 Sundays) for all rostered ministers regardless of how long they have served in rostered ministry. Two full days off per week are recommended.<sup>3</sup>

**Vacation:** Vacation time is offered purely for the rest, relaxation, and renewal of rostered ministers. The following should not be considered part of vacation time: official synod events at which attendance is required; continuing education; time spent in outdoor ministries and retreats with congregation/parish youth and family groups; work on synod or Churchwide boards or committees.

**Holidays:** Holidays should be granted as days off in addition to vacation days. When the services of the rostered minister are required on recognized holidays, time off with pay should be granted at another time which causes minimal disruption to the congregation/parish. The following eight days are traditionally considered paid holidays: New Year's Day, Martin Luther King Day or Presidents Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

## H. Annual Review

Synod Authorized Ministers are expected to have a Supervisor and a Mentor. An Annual Review is expected for the continued licensure of all Synod Authorized Ministers. The Annual Review should include the SAM, the Mentor Pastor and the congregation council and/or supervisor. A form is provided for completing this review. After the review, and if the decision is made to continue service, a new Mentor Agreement and updated Covenant are completed and submitted to the synod office.

## I. Mutual Ministry

In order to help each congregation/parish of the Northwestern Minnesota Synod function effectively, the Synod strongly recommends that each congregation/parish form a Mutual Ministry (Staff Support) Committee. According to the model constitution of the ELCA, this committee should be composed of six persons who are appointed for two-year terms, three each on alternating years. Appointments are made by the president of the congregation/parish together with the pastor. However, it may be that size and method of appointment may vary in a given entity.

The purpose of the Mutual Ministry (Staff Support) Committee is to affirm and strengthen the mission efforts of the congregation/parish and the ministry which is performed by the staff.

Functions and benefits of a Mutual Ministry (Staff Support) Committee include:

- Helps develop open communication about expectations, attitudes, and concerns within the congregation/parish, the community, and staff.
- Identifies early warning signs of misunderstandings and takes action to diffuse certain problem situations before they escalate.
- Serves as a group with whom the rostered minister and other staff members can test new ideas and share confidential matters.
- Can plan strategies to improve skills of staff members or help develop plans within the congregation/parish to solve problem situations.

---

<sup>3</sup> Author and pastor, Eugene Peterson, describes Sabbath rest as follows: At regular intervals we all need to quit *our* work and contemplate [*God's* Work], quit talking to each other and listen to *him*. God knows we need this and has given us a means in Sabbath a day for praying and playing, simply enjoying what he is. One of my tasks [as pastor] is to lead you in the celebrative keeping of Sabbath each Sunday. But that is not a Sabbath for me. I wake up on Sunday morning with the adrenalin flowing. It is a workday for me. Monday is my Sabbath, and I need your help to observe it. From *Working with Angles: That Shape of Pastoral Integrity* (Grand Rapids: Eerdmans, 1987) pg 82.

It is important that congregations/parishes establish a Mutual Ministry (Staff Support) Committee as part of their normal programming and not wait until there is a time of crisis in the congregation/parish with misunderstandings and hurt feelings. The committee should be understood as a significant element in the life of the rostered minister with regular reports to both the council and the congregation(s)/parish, although these reports will NOT include confidential matters.

For more information about Mutual Ministry (Staff Support) Committee it is suggested that each congregation/parish secure a copy of the booklet, *Pastor and People: Making Mutual Ministry Work*, Augsburg Fortress.

### **III. PROVISIONS THAT NORMALLY APPLY TO ALL EMPLOYEES OF CONGREGATIONS/PARISHES**

#### **A. Disability - Sick Leave**

In the event that any church staff person covered under the **ELCA Pension** (Portico Benefit Services) **and other benefits plan** becomes medically **disabled**, it is expected that the congregation/parish provide up to two (2) months of continued salary, housing, and contributions to the ELCA Pension (Portico Benefit Services) and other benefits plans in a 12-month period.

It is recommended that each congregation/parish develop written policies regarding **sick leave** for all its employees. In general, one day of sick leave is granted per month worked, cumulative to 90 days. Normally sick leave policies allow employees to use sick leave days to care for immediate family members who are ill. "Immediate family" is typically defined to include spouse, parents, siblings, children, in-laws, grandparents, and grandchildren.

#### **B. Minnesota's Safe and Sick laws:**

All employers, including congregations are required to comply with Minnesota's Safe and Sick laws. Please see the attached guidelines at the end of this document provided by the synod and the state which provides directions for the two ways employers can comply with this required provision.

#### **C. Emergency/Funeral Leave**

Absence of an employee for up to five days due to a death in the immediate family is normally permitted. "Immediate family" is typically defined to include spouse, parents, siblings, children, in-laws, grandparents, and grandchildren. If more than five days are needed, additional leave time may be granted at the discretion of the congregation/parish council.

#### **D. Flexible Spending Accounts**

All employees of congregations/parishes covered under Portico Benefit Services and other benefits plan may set up a Flexible Spending Account (FSA) to cover the family's eligible health care expenses and eligible dependent (day) care expenses. For complete information on this option, please refer to <https://porticobenefits.org/>.

#### **E. Ministry Descriptions ("Job Descriptions")**

The personnel committee or congregation/parish council should provide clear, well-defined ministry descriptions for all employees of the congregation/parish. Doing so will enhance performance and satisfaction for all employees.

#### **F. Family Leave**

A Minnesota law passed in 2023 requires that most employers provide a *minimum* of 12 weeks of paid family leave for most full-time employees. It is recommended that this same benefit, available to most Minnesota workers, also be extended to rostered and lay ministers and other church professionals.

What is paid family leave? Family leave is paid time off with full salary and benefits for the care of a newborn or newly adopted child. During family leave the rostered minister or employee is released from all work-related responsibilities and tasks. Other provisions for all pastoral/congregation care and other work-related contingences should be planned to serve the congregation/organization during the time of leave.

It is recommended that each congregation/parish develop a written policy relating to parental leave.<sup>4</sup>

**G. Personal Days**

The congregation/parish may grant each employee 1-2 personal days off per year. Personal days are similar to vacation days. If they are not taken during the year granted, they may not be carried over to the following year.

**H. Unemployment Compensation**

Federal and state law generally exempts churches from this requirement as service performed in the employ of a religious organization.

**I. Workers' Compensation**

All congregations/parishes are required by law to provide Workers' Compensation coverage for all employees. For purposes of Workers' Compensation, pastors are employees and therefore must be covered under Workers' Compensation.

---

<sup>4</sup> Congregations that have called a rostered couple (two rostered persons married to each other) should give particular attention to the question of whether both rostered persons will receive full parental leave.

## **Appendix A: Northwestern Minnesota Synod Travel Expense Reimbursement**

In the total planning of the compensation/reimbursement package for the individual, it is important to disconnect compensation from reimbursement. One is salary; the other is repayment to the individual for out-of-pocket expenses incurred during his/her ministry on behalf of the congregation/parish.

The automobile reimbursement<sup>5</sup> may be the single largest item of reimbursement for the individual, so it is important to plan wisely. Although the ministry of the congregation/parish must be of primary importance, pertinent tax issues must also be considered. The congregation/parish must fully reimburse the individual for official use of his/her vehicle for church business. Automobile expense reimbursement should be considered a congregation ministry expense not a part of the salary.

The following are options that individuals and congregations/parishes may consider:

1. The congregation/parish leases the automobile and provides insurance, tolls, parking fees, maintenance, and repair coverage including a credit card for fuel.
2. The individual owns his/her car and is reimbursed from a draw account by the church treasurer.
3. The individual owns his/her car and the congregation/parish pays a flat car allowance as detailed in the church budget. If this option is chosen, the individual must file a Form 2106 detailing his/her costs and reimbursements. If the individual cannot verify that all dollars received were for professional miles driven, the residue must be claimed as taxable income.
4. The individual leases a vehicle and is reimbursed from a draw account by the church treasurer.

Regardless of the option used, the individual must keep complete records of automobile expenses, professional miles driven, and personal miles driven.

As leaders of congregations/parishes consider what is fair reimbursement for expenses incurred, they need to remember that the individual is assisting them in their ministry. The automobile is as important a ministry tool as is the telephone. Without full access to such tools, the entire ministry of a congregation/parish may be inhibited.

*Adapted from documents used in the St. Paul Area Synod and the Southwestern Minnesota Synod.*

---

<sup>5</sup> Congregations/Parishes should stay abreast of changes in IRS regulations pertaining to automobile reimbursement

## Appendix B: Compensation Worksheet for SAMs

This worksheet is designed to help congregations/parishes and ministry agencies build a compensation package for *Synod Authorized Ministers*. Each item listed below is described in this document.

<b>Compensation</b>	<b>2024 Actual</b>	<b>2025 Guidelines</b>	<b>2025 Proposed</b>
<b>INCOME</b>			
Base Salary	_____	_____	_____
Other	_____	_____	_____
<b>Total Income</b>	_____	_____	_____
<b>TAXES PAID</b>			
FICA Tax – Employer’s Share	_____	_____	_____
<b>PENSION &amp; OTHER BENEFITS</b>			
ELCA Pension & Other Benefits Program	_____	_____	_____
Other	_____	_____	_____
<b>Total Pension and Other Benefits</b>	_____	_____	_____
<b>EXPENSES</b>			
Travel	_____	_____	_____
Professional	_____	_____	_____
Official Synod Meetings	_____	_____	_____
Continuing Education	_____	_____	_____
Other	_____	_____	_____
<b>Total Expenses</b>	_____	_____	_____
<b>NON-FINANCIAL COMPENSATION</b>			
Vacation	_____ wks	_____ wks	_____ wks
Continuing Education	_____ wks	_____ wks	_____ wks
Other	_____	_____	_____

## **Appendix C: Resources for Personnel and Compensation Issues in Congregations/Parishes of the ELCA**

Bacher, Robert and Cooper-White, Michael, *Church Administration: Programs, Process, Purpose*, Minneapolis: Augsburg Fortress, 2007.

Berry, Erwin, *The Alban Personnel Handbook for Congregations*, Washington DC: Alban Institute, 1999.

Holford, Trish, *Our Staff: Building Our Human Resources*, Minneapolis: Augsburg Fortress, 2002.

*Pastor and People: Making Mutual Ministry Work*, Minneapolis: Augsburg Fortress, 2003.

Peterson, Eugene, *Working the Angles: The Shape of Pastoral Integrity*, Grand Rapids: Eerdmans, 1987  
Church Salary—website information from *Christianity Today*

[Employers: This is a sample employee notice employers can use to inform their employees about earned sick and safe time as required under [Minnesota Statutes § 181.9447, subdivision 9](#). Instructions for completing this notice are in brackets. Delete all instructions before providing this to the employee.]

## Earned sick and safe time employee notice

Employees in Minnesota are entitled to earned sick and safe time, a form of paid leave. Employees must accrue at least one hour of earned sick and safe time for every 30 hours they work, up to at least 48 hours in a year. [If you are using a more generous accrual system or a front-loading system, edit the previous sentence and insert the applicable system for the employee who will receive this notice.] A year for purposes of the employee's earned sick and safe time accrual is: [Note here how you define the accrual or benefit year for the employee. Examples include the calendar year, year by work anniversary or another 12-month period.]

The earned sick and safe time hours the employee has available, as well as those that have been used in the most recent pay period, must be indicated on the employee's earnings statement that they receive at the end of each pay period. Earned sick and safe time must be paid at the same hourly rate employees earn from employment. Employees are not required to seek or find a replacement for their shift to use earned sick and safe time. They may use earned sick and safe time for all or part of a shift, depending on their need.

Earned sick and safe time can be used for:

- an employee's mental or physical illness, treatment or preventive care;
- the mental or physical illness, treatment or preventive care of an employee's family member;
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member;
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease.

## Notifying employer, documentation

An employer can require their employees to provide up to seven days of advance notice when possible (for example, when an employee has a medical appointment scheduled in advance) before using sick and safe time. An employer can also require their employees to provide certain documentation regarding the reason for their use of earned sick and safe time if they use it for more than three consecutive days.

[The following is an example of an employer policy for employees to provide notice before using earned sick and safe time. Edit the following text to match your company's policy.] If an employee plans to use earned sick and safe time for an appointment, preventive care or another permissible reason they know of in advance, inform [name or position] by [phone, email or other communication] as far in advance as possible, but at least [number

## State of MN Employee Sick and Safe Leave - This applies to religious organizations.

### Effective Date, January 1, 2024

An employee is eligible for sick and safe time if they:

- Work at least 80 hours in a year for an employer in Minnesota; and are not independent contractors.
- Employers must provide each employee in Minnesota at least **one hour** of paid sick and safe time for every 30 hours worked, up to at least 48 hours of accrued ESST a year.

Temporary and part-time employees are eligible for sick and safe time. Sick and safe time requirements will not apply to building and construction industry employees who are represented by a building and construction trades labor organization if a valid waiver of these requirements is provided in a collective bargaining agreement.

Employees can use their earned sick and safe time for reasons such as:

- the employee's mental or physical illness, treatment or preventive care;
- a family member's mental or physical illness, treatment or preventive care;
- absence due to domestic abuse, sexual assault or stalking of the employee or a family member;
- closure of the employee's workplace due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency; and
- when determined by a health authority or health care professional that the employee or a family member is at risk of infecting others with a communicable disease.

Employers must provide [earnings statements with certain required information](#) to employees at the end of each pay period.

When the ESST law goes into effect, employers will be required to include the following additional information on earnings statements:

1. the total number of sick and safe time hours accrued and available for use; and
2. the total number of sick and safe time hours used in the pay period.

*(Quick Books does this if you use that bookkeeping software)*

In addition, employers are required to keep records of hours worked as well as other information and must retain these records for three years.

**Instead of placing ESST hours on employees' earnings statements, can employers tell employees how to find information about their ESST hours in their timekeeping system?**

No. Minnesota law requires employers to include information about ESST hours available for use and used in the pay period on earnings statements provided to employees. However, in addition to the earnings statement requirement, employers may choose to make this information available through their company portal, timekeeping software, or other accessible systems as well.

*If you are front-loading the sick time at the beginning of the year, the notice to those employees would state that their ESST is included in their annual front-loading of sick time.)*

**What ESST responsibilities does an employer have if they already provide leave?**

A paid time off (PTO) plan or other type of paid leave (including sick or vacation time) can satisfy the ESST law if the plan meets Minnesota's ESST requirements. Nothing prohibits an employer from providing more generous leave policies than the minimum required by the ESST law.

The name of the employer's paid time off or other paid leave policy does not matter. It does not have to be called "earned sick and safe time" to meet the requirements of the law.

**Do employers need to provide employees with notice regarding their rights under the ESST law?**

Yes, employers must provide notice to all employees that includes at least the following information:

1. employees are entitled to ESST;
2. the amount of ESST they will accrue;
3. the accrual year for the employee (as set by the employer);
4. the terms regarding when employees may use ESST;
5. a copy of any existing written policy regarding employees providing notice to use ESST;
6. an explanation that retaliation for requesting or using ESST is prohibited; and
7. an explanation that employees have a right to file a complaint or to bring a civil action if ESST is denied or if employees are retaliated against for requesting or using ESST.

This notice needs to be provided to employees in English and the primary language of the employee. DLI has posted a sample notice for employer use; however, employers are not required to use the sample notice as long as their notice contains all of the required information above. The sample notice is available on the [Workplace Notices and posters](#) webpage. It is in English and translated into 17 additional languages; employers can request additional languages.

**In what manner must employers provide the ESST notice to employees? Employers must provide the ESST notice in a manner that is at least as effective as one of these options:**

1. posting a copy of the notice at each location where employees perform work;
2. providing a paper or electronic copy of the notice to all employees; or
3. posting the notice on a web-based or app-based platform that employees use to perform work.

An employer that provides an employee handbook to its employees must also include in the handbook a copy of the required earned sick and safe time information.

**When must an employer provide the ESST notice to employees?**

Employers must provide the ESST notice to employees upon the start of their employment or by January 1, 2024, when the ESST law goes into effect, whichever date is later.

**Easy Tracking - For every 30 hours worked accumulate 1 hour of Sick and Safe Time**

**If it is a salaried employee, front load 80 hours of Sick and Safe Time at the beginning of 2024 and you are covered. The employee must report when they are using Sick and Safe Time and a deduction in their available balance must happen.**