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NEW LAWS GO INTO EFFECT ON JANUARY 1, 2022

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The new year of 2022 brings with it a slew of new and evolving laws, regulations, and CDC recommendations that businesses and individuals will need to keep an eye on. What follows are a summary of the most important of these changes:

COVID-19 – OSHA Mandate. With the coming of January, a decision will be forthcoming with respect to the enforceability of OSHA’s vaccination/testing mandate. Until the United States Supreme Court decides on the constitutionality of OSHA’s mandate, businesses with 100 or more employees will need to continue preparing for the January 7, 2022 implementation of OSHA’s vaccination/testing regulations.

CDC GUIDELINES FOR COVID-19 QUARANTINES AS OF JANUARY 1, 2022.

The CDC has shortened the recommended time for isolation for people with COVID-19 to five (5) days and if the infected person is asymptomatic or his/her symptoms are resolving (without fever for 24 hours), follow that period of isolation with another five (5) day period of wearing a mask when around others to minimize the risk of infecting people they encounter.

Moreover, the CDC has updated its recommended quarantine period for anyone who is has been exposed to COVID-19. “For those individuals who are unvaccinated or are more than six (6) months out from their second mRNA dose (or more than two (2) months after the J&J vaccine) and have not yet received a booster, the CDC now recommends quarantine for five (5) days followed by strict mask use for an additional five (5) days. Alternatively, if a five (5) day quarantine

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is not feasible, it is imperative that an exposed person wear a well-fitting mask at all times when around others for ten (10) days after exposure. Individuals who have received their booster shot do not need to quarantine following an exposure but should wear a mask for 10 days after the exposure. If symptoms occur, individuals should immediately quarantine until a negative test confirms symptoms are not attributable to COVID-19.” See: “CDC Updates and Shortens Recommended Isolation and Quarantine Period for General Population,” December 27, 2021. <https://www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html>.

MINNESOTA MINIMUM WAGE LAWS. Minnesota’s minimum wage law will change beginning on January 1, 2022. These changes include the following:

- Large employers must pay at least \$10.33 an hour when the employers’ annual gross revenues are \$500,000 or more.
- Small employers must pay at least \$8.42 an hour when the employers’ annual gross revenues are less than \$500,000.
- The training wage rate, \$8.42 an hour, may be paid to employees younger than 20 years of age for the first 90 consecutive days of employment.
- The youth wage rate, \$8.42 an hour, may be paid to employees younger than 18 years of age.

NOTE: These minimum-wage rates will not apply to work performed in the cities of Minneapolis (\$14.50/\$12.25 as of July 2021) and St. Paul (\$12.50/\$11.00/\$10.00 as of July 1, 2021), which have higher minimum-wage rates. Both Minneapolis and St. Paul minimum wage rates will be adjusted again in July 2022.

REASONABLE ACCOMODATIONS FOR EMPLOYEES WHO ARE PREGNANT.

Employers with at least fifteen (15) employees are required to offer “reasonable accommodations” to those workers for any health conditions relating to pregnancy or childbirth. Exceptions are made if the employer demonstrates that the accommodation would result in “undue hardship” on the business. Examples of such reasonable accommodations include temporary transfers to light duty positions, more frequent bathroom breaks, and/or private spaces for expressing breast milk.

ENVIRONMENTAL PERMITS. Beginning in January 2022, any member of the eleven (11) federally-recognized tribes in Minnesota is eligible for a free permit to state parks. The Department of Natural Resources is also to issue free daily park permits to qualifying individuals who do not own cars.

HEALTH. The state’s health and human services policy and finance law goes into effect Saturday, which includes a number of provisions for medical assistance coverage and substance use treatment. This includes a 5% increase on rates for substance use disorder treatment programs by culturally-specific organizations. The new law allows for a 90-day supply for some prescriptions dispensed under medical assistance.

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LOSS OF LICENSE - TRANSPORTATION RELATED PENALTIES. Beginning on January 1, 2022, the Minnesota Department of Public Safety cannot suspend a valid Minnesota driver's license following a Minnesota driver's conviction for driving after suspension, driving after revocation, or based solely on a person's failure to pay a traffic ticket, parking fine or surcharge following a conviction for a vehicle operation or parking citation. Moreover, the Department of Public Safety cannot suspend a driver's licenses based on failure to appear in court on petty misdemeanor citations.