

Does Minnesota law let workers take time off for their children's school activities?

Q. Last year an employee explained an absence by referring to his rights under Minnesota law to attend school activities. What exactly do Minnesota laws say about a parent's right to be away from work because of school activities or to take care of children?

A. There are two laws you should be aware of: Minnesota's School Conference and Activities Leave Law and the Sick or Injured Child Care Leave Law.

The School Conference and Activities Leave Law (Minn. Stat. §181.9412) entitles an employee to up to 16 hours of leave in any 12-month period to attend school conferences and "school-related activities" that cannot be scheduled during nonwork hours. If the conference or activity can be scheduled in advance, the employer is entitled to receive reasonable notice of the need to be away from work.

In addition, the employee is required to make a reasonable effort to schedule the conference or activity in such a way as to cause the least disruption in the employer's operations. The leave can be unpaid.

The Sick or Injured Child Care Leave Law (Minn. Stat. §191.9413) extends employees' ability to use their own "sick leave" benefits for absences due to the sickness or injury of their children on the same terms that they could use the paid time off for their own illness or injury. So, if a paid time-off benefit is available to employees, and they can use the time for personal sickness or injury, they can also use that time to care for a sick or injured child.

This right does not extend, however, to any insured benefits or short-term or long-term disability benefits that may be available.

If your company is covered by the FMLA, you should always consider whether any particular absence may be covered by FMLA leave.