

● **STATE LABOR LAWS (WAGE PAYMENTS)**

STATUTORY CITATION: Minn. Stat. §§ 181.01 – 181.172 and § 181.79

GENERAL SUMMARY: The state labor laws include wage payment provisions covering pay periods and paydays, wage deductions, wage assignments, pay statements, final payment of wages, and related subjects. These provisions generally apply equally to all agricultural and non-agricultural employment.

PROVISIONS APPLICABLE TO AGRICULTURE

PAY PERIODS AND PAYDAYS — In general, every worker performing labor or services which require changes in residence must receive earnings at intervals of not more than 15 days. Otherwise, employers must pay all wages due an employee at least once every 31 days, on a regular payday designated in advance by the employer.

WAGE DEDUCTIONS FOR LOSS OR DAMAGE — As a rule, no employer may make any deduction, directly or indirectly, for damage to property, or to recover any claimed indebtedness, unless the worker voluntarily and in writing authorizes the employer to do so and the authorization is made after the loss has occurred or the indebtedness has arisen.

WAGE ASSIGNMENTS — No assignment of wages to be earned in the future to secure a loan of less than \$200 is valid until the assignment is accepted in writing by the employer and is recorded with the city or town clerk. Also, a wage assignment made by a married worker is not valid without the written consent of the worker's spouse.

PAY STATEMENTS — At the end of each pay period, an employer must give each worker a written earnings statement that includes the worker's name, the hourly pay rate (if applicable), the total number of hours worked (unless exempt from the state minimum wage law), the gross pay earned, a list of any deductions made from the worker's gross earnings, the worker's net pay, and the ending date of the pay period.

FINAL COMPENSATION — When a worker performing labor which requires the worker to change residences leaves the job or is discharged, the employer must pay the worker's final wages within 24 hours; if not, the employer is responsible for the worker's living expenses while the worker awaits his or her earnings. In the case of migrant workers, wages earned but unpaid at the time the employee quits are due and payable within 5 days thereafter. For all other workers, earnings that are unpaid at the time the employee quits are payable no later than the next regularly scheduled payday.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Labor Standards Division, Minnesota Department of Labor and Industry, St. Paul, Minnesota 55155 (651-284-5070)*. The Department is authorized to assist a worker in the collection of unpaid wages, and under certain conditions, the statutes make employers who fail to meet the time limits described in the wage payment provisions liable to the worker for both the unpaid wages and monetary penalties.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.

PRIVATE CIVIL ACTION — Workers have an explicit right to take court action against employers for recovery of unpaid wages directly, utilizing a private attorney or public legal service provider.