

Minnesota Statute 181.032 Employee Notice for Building Trades Employees

Employee Information

Employee Name: _____

First date of employment: _____

Employer Information

Employer Legal Name: _____

Employer Operating Name (if different from above): _____

Address of Main Office/Principal Place of Business: _____

Employer Mailing Address (if different from above): _____

Employer Phone: _____ Employer Website or Email: _____

Employment Status

Employee is non-exempt (entitled to overtime, minimum wage, etc.) under MN Statutes Chapter 177.

Employee is exempt pursuant to MN Statutes Chapter 177. Legal Basis: _____

Employment Terms and Conditions

Collective Bargaining Agreement. The terms and conditions of your employment have been negotiated between the employer and the union and are documented in a collective bargaining agreement.

1. Applicable Collective Bargaining Agreement(s): _____

The applicable collective bargaining agreement (CBA) and wage sheet(s) are incorporated in this notice. They are attached or available online at: _____

2. Employee classification under CBA: _____

3. Rate(s) of Pay: You will be paid hourly according to the terms of the CBA and related wage sheet.

4. Benefits: Benefit contributions are made according to the applicable collective bargaining agreement. Questions about your benefits should be directed to the Benefit Fund Administrator as follows:

Benefits Administrator Name and Phone Number: _____

Employer-specific benefits not described in the collective bargaining agreement, if any:

5. Wage Deductions: State and federal payroll taxes and any court ordered deductions will be made from your pay. Taxable withholdings such as union dues will be made according to the applicable collective bargaining agreement.

Additional, employer-specific deductions, if any: _____

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6. Allowances, if any, for permitted meals and lodging will be provided according to the CBA.
7. Employer-specific terms and conditions not described in the collective bargaining agreement, if any:

Payment of Wages

1. Number of days in the pay period: _____
2. Regularly scheduled payday: _____
3. Date employee will receive first payment of wages earned: _____

Employee Acknowledgement

I acknowledge by my signature that I have received this notice.

Employee Signature

Date

Note: *This document contains important information about your employment. Check the box at left to receive this information in another language.*

Spanish

Mandarin

Laotian

Cushite/Oromo

Hmong

Russian

Korean

Amharic

Vietnamese

Somali

Tagalog

Karen

Building Trades Employer Instructions for MN Statute 181.032 Employee Notice

Under Minnesota's new Wage Theft statute employers are required, effective July 1, 2019, to provide all newly-hired employees with a written notice about their employment terms and conditions.

Following is the specific information that must be included in the notice:

- Employer's legal name and the operating name, if different.
- Physical address of employer's main office or principal place of business and a mailing address, if different.
- Employer's telephone number.
- Employee's employment status and whether an employee is exempt from minimum wage, overtime and other state wage and hour laws, and on what basis.
- Employee's rate or rates of pay and the basis thereof, including whether the employee is paid by the hour, shift, day, week, salary, piece, commission or other method and the specific application of any additional rates
- Allowances, if any, that may be claimed for permitted meals and lodging.
- Provision of paid vacation, sick time or other paid time off (PTO), how the paid time off will accrue and terms for its use.
- A list of deductions that may be made from the employee's pay.
- Number of days in the employee's pay period and the regularly scheduled payday.
- Date the employee will receive the first payment of wages earned.

Employers must notify employees of any changes to the information in the notice before those changes take effect.

Comprehensive information about the new Wage Theft law, including a standard sample notice, is available on the MN Department of Labor and Industry's website at:

<https://www.dli.mn.gov/business/employment-practices/wage-theft-legislation-2019-and-summaries>

The Association Office has developed a sample notice to address the needs of unionized construction employers (attached). This form should be completed by the employer as follows:

Employee Information includes the employee's name and first date of employment. If the employee has worked for you in the past, use the first day of re-employment after any break in service.

Employer Information includes the legal name and contact information for the employer. Providing an email address or website is optional but may be a preferred form of communication for the employer.

Employment Status identifies whether the employee is exempt from the protections of Minnesota Statutes Chapter 177 (the Minnesota Fair Labor Standards Act). Construction field-employees are typically non-exempt, meaning that they are entitled to overtime pay and the other requirements of the statute. If an employee is exempt (such as an executive, administrative, or professional employee) he or she must be specifically notified.

Employment Terms and Conditions describes the employee's wages and benefits. Most if not all employment terms and conditions for Building Trades employees are described in the collective bargaining agreement as indicated on the form. The form includes the following categories:

1. **Applicable Collective Bargaining Agreement:** Insert the title of the applicable CBA. A copy of the CBA and related wage sheet(s) must be provided to the employee with this notice. These documents can be made available as a hard copy or electronically via a website as indicated on the notice.
2. **Employee classification under the CBA:** Insert the employee's classification under the CBA, such as "Apprentice" or "Journeyman" or "Foreman" and the trade classification, if more than one trade is covered by the CBA.
3. **Rates of Pay:** The form presumes that you will pay according to the terms of the CBA. If the employee will be paid above the rates described in the CBA, the form should be modified to state that rate or it may be described at Line 7, Employer-Specific Terms and Conditions.
4. **Benefits:** Most Building Trades employees receive only the benefits described in the CBA, such as health and retirement contributions to the Union's multiemployer benefit plans. Those benefits are administered by a Fringe Fund Administrator which should be referenced on the notice. Employee questions about the benefits are best directed to the Administrator. If the employer provides any additional employee benefits, such as paid time off, those benefits must be described in the notice. You must include information on how the benefits are accrued and how the employee can use them. These other benefits, if applicable, could be described in an employee handbook or separate document/website. In that case the employer should reference that document in the notice and provide a hard copy or electronic access information to the employee.
5. **Wage Deductions:** All employees have state and federal payroll taxes withheld from their wages. Most Building Trades employees have union dues deducted from their wages pursuant to the CBA. Building Trades employees may also have a vacation or savings contributions deducted from their wages, also pursuant to the CBA. The employer should describe additional deductions, if any, in the space provided.
6. **Any allowances for meals and lodging** are typically described in the CBA. If the employer provides a different or additional meal and lodging allowance than described in the CBA the form should be modified to describe those allowances.
7. **Employer-specific terms and conditions:** Space is provided for the employer to describe additional terms and conditions, if any. Please review the bulleted list, above, to identify any items that may pertain to the employee that are not described in the CBA. If an employee handbook describes these terms and conditions, the notice should reference the employee handbook and a copy should be provided to the employee.

Payment of Wages

1. **Number of days in the pay period:** Building Trades employees are typically paid every seven days.
2. **Regularly scheduled payday:** The day of the week on which the employee will receive his or her paycheck.
3. **Date employee will receive first payment of wages earned:** The employee's first payday.

Employee Acknowledgement

The employee **must** sign the form to acknowledge receipt. The employer must provide a copy to the employee and retain a separate copy for the employer's files.

Notice of Changes

You must provide the employee with advance written notice any time the information on the form changes, and you must keep a copy of that notice. The employee is not required to sign these notices of changes, but you may request that they do so if you like.

Alternative Languages

The employee may request, and the employer must then provide, the notice in an alternative language. If you receive a request to translate the form, please contact the Association Office promptly to discuss the request. Note that the Department of Labor and Industry has approved the following translators:

The Bridge World Language Center, Inc.
110 Second Street S., #213 Waite Park, MN
56387 320-259-9239
mini@bridgelanguage.com

Betmar Languages, Inc.
6260 Hwy. 65 N.E., #308
Minneapolis, MN 55432
763-572-9711
best@betmar.com

Fox Translation Services
1152 Mae Street, #122
Hummelstown, PA 17033
866-369-1646 or 407-733-3720
dina@foxfoxcasemanagement.com

Global Translation and Interpreter
913 E. Franklin Ave., #206
Minneapolis, MN 55404
612-722-1244
sandor@globaltranslations.com

Latin American Translators Network, Inc.
1720 Peachtree Street N.W., #532
Atlanta, GA 30309
800-943-5286, ext. 8641
translations@latn.com
800-943-5286, ext. 8620
idenis@latn.com

Lingualinx Language Solutions, Inc.
433 River Street, #6001
Troy, NY 12180
518-388-9000
abartlett@lingualinx.com

Prisma International, Inc.
1128 Harmon Place, #310
Minneapolis, MN 55403
612-349-3111
jromano@prisma.com

Swits, LTD
110 S. Third Street Delavan, WI 53115
262-740-2590
translations@swits.us

Latitude Prime, LLC.
80 S. Eighth Street, #900
Minneapolis, MN 55402
888-341-9080, ext. 501
elle@latitude.com