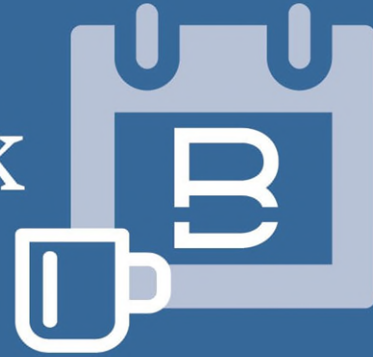


# The Work Week

Bassford Remele Employment Practice Group



**July 31, 2023**

Welcome to another edition of *The Work Week with Bassford Remele*. Each Monday morning, we will publish and send a new article to your inbox to hopefully assist you in jumpstarting your work week.

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## **The Next Wave of New Employment Laws Set to Take Effect**

[Gillian L. Gilbert](#)

We've been covering the [historic legislative session](#) in *The Work Week* for [several months](#), and the next set of laws impacting employers will take effect tomorrow, August 1, 2023. Below is a reminder of what you need to know:

### **[Legalization of Recreational Cannabis \(Multiple Statutes\)](#)**

You may have seen an article (or twenty) about the impact of legalized cannabis in Minnesota, but there are considerable implications for employers. As of tomorrow, marijuana, THC, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products will be legal. But this does not mean employers have to tolerate employee use at work. Generally speaking, employers can still discipline employees for using, possessing, transferring, or being under the influence of cannabis while at work. Employers should be sure to update their substance-use policies. To the extent a policy broadly prohibits the use of "alcohol or any other illegal substance" at work, this prohibition would no longer apply to cannabis. Additionally, there are [several new restrictions](#) set to take effect regarding testing applicants and employees for cannabis, so employers must update their testing policies as well.

### **[Ban Against Requiring Attendance at Political or Religious Events \(Minn. Stat. § 181.531\)](#)**

Starting tomorrow, Minnesota employers will be prohibited from taking any adverse employment action against an employee who declines to attend any meeting or event at which the employer intends to express viewpoints on political or religious matters. "Political matters" are defined as "matters relating to elections for political office, political parties" and proposals to change legislation, regulation, and public policy. "Religious matters" are defined as "matters relating to religious belief, affirmation, and practice," including "the decision to join or support any religious organization or association." The penalties against

violating employers are steep: employees are entitled to back pay, reinstatement, injunctive relief, and attorney's fees. The statute of limitations is also unusually short: employees must bring a cause of action within 90 days of the alleged violation.

**[Wage Protection for Construction Workers](#) (Minn. Stat. § 181.165)**

Significant changes also loom for the construction industry. Beginning tomorrow, contractors will be responsible for any failure of their subcontractors to pay earned wages to the subcontractor's employees. Similarly, contractors will not be allowed to run an end-around of this liability through contractual indemnification provisions. If a contractor satisfies an employee's claim for unpaid wages, the contractor may then pursue damages from a subcontractor who caused the contractor to incur those damages.

At Bassford Remele, we regularly advise and counsel employers on updating policies and handbooks to remain compliant with changing laws. Please feel free to reach out if you need any assistance!

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