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March 13, 2025

Senate File 2373 (McEwen)

Chair McEwen and Senate Labor Committee Members -

The National Federation of Independent Business (NFIB) represents over 10,000 small and independently owned businesses across Minnesota. Our mission is to promote and protect the rights of our members to own, operate, and grow their businesses. Thank you for the opportunity to provide comments on Senate File 2373, specifically the expansion of Minnesota's mandatory break laws and provision of penalties for noncompliance.

First, we seek to ensure that small businesses will retain the flexibility to require employees to take their breaks at specified times, as outlined in employer policies or handbooks. Small employers need the ability to manage their workforce effectively, and it is essential that the proposed changes do not prevent employers from requiring breaks at set times or specifying that employees may not "stack" breaks to leave early at the end of the workday. This flexibility is crucial for employers to maintain proper workplace operations and manage daily tasks effectively.

Second, NFIB opposes the penalties outlined in this legislation. We are concerned that the proposed fines, including liquidated damages and penalties of up to \$1,000 per day per employee, are excessive and fail to consider simple misunderstandings or situations where an employee may fail to take a break without knowledge of the employer. Small employers will feel the need to closely monitor their employees to ensure that breaks are taken at the correct time and for the proper duration, out of fear that they will incur severe penalties.

Thank you for the opportunity to provide comments. We strongly urge the committee to consider our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Boesche".

Jon Boesche
Minnesota State Director
National Federation of Independent Business
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