
CHAPTER 227—H.F.No.541

[Coded]

An act relating to labor; prohibiting the deduction of certain losses from wages without authorization by the employee; providing a cause of action for wrongful deduction.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[181.79] LABOR; WAGE DEDUCTIONS FOR FAULTY WORKMANSHIP, LOSS, THEFT OR DAMAGE.** Subdivision 1. No employer shall make any deduction from the wages due or earned by any employee, who is not an independent contractor, for lost or stolen property, damage to property, or to recover any other claimed indebtedness running from employee to employer, unless the employee, after the loss has occurred or the claimed indebtedness has arisen, voluntarily authorizes the employer in writing to make the deduction or unless the employee is held liable in a court of competent jurisdiction for the loss or indebtedness. Such authorization shall not be admissible as evidence in any civil or criminal proceeding. Any authorization for a deduction shall set forth the amount to be deducted from the employee's wages during each pay period.

A deduction, unless authorized in writing by the employee, may not be in excess of the amount established by law as subject to garnishment or execution on wages.

Any agreement entered into between an employer and an employee contrary to this section shall be void. This section shall not apply to the following:

(a) in cases where a contrary provision in a collective bargaining agreement exists;
or

(b) any rules established by an employer for employees who are commissioned salespersons, where the rules are used for purposes of discipline, by fine or otherwise, in cases where errors or omissions in performing their duties exist.

Subd. 2. An employer who violates the provisions of this section shall be liable in a civil action brought by the employee for twice the amount of the deduction or credit taken.

Sec. 2. This act is effective the day following final enactment.

Approved May 20, 1977.

Changes or additions indicated by underline deletions by ~~strikeout~~