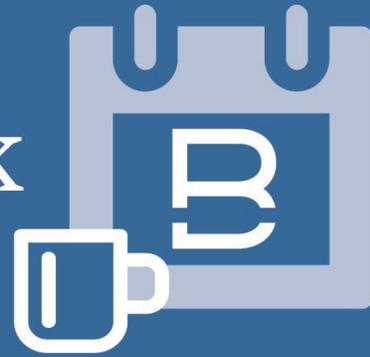


# The Work Week

Bassford Remele Employment Practice Group



**March 9, 2026**

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

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## **Minnesota Legislature Introduces Amendments to the Minnesota Human Rights Act**

[Michael J. Pfau](#)

A number of bills introduced during the current legislative session propose amendments to the Minnesota Human Rights Act (MHRA), potentially affecting employers' obligations and litigation exposure in discrimination cases. Several of the proposals focus on procedural rules and expanding protected rights under the statute.

### **Administrative Hearings Procedures**

Companion bills S.F. 3606 and H.F. 3711 would amend the administrative-hearing process for MHRA cases under Minn. Stat. § 363A.29. The bill provides that the commissioner shall now decide within 30 days whether to forward the request for hearing to the Court of Administrative Hearings. The bill would remove the requirement that the hearing is conducted in a place designated by the commission, within the county where the unfair-discriminatory practice occurred or where the respondent resides or has a principal place of business.

While the proposals focus primarily on procedural adjustments, any changes to the administrative-hearing framework could affect how discrimination claims are investigated, litigated, and resolved before administrative law judges.

### **Notice Requirements for Human Rights Claims**

#### ***Employer Notice Requirements***

Companion bills S.F. 3607 and H.F. 3712 would require employers to post and maintain written materials informing employees of their rights under the MHRA. The notice must be placed in a

location that is readily accessible to employees and must inform individuals of their right to either file a charge of discrimination with the Minnesota Department of Human Rights or pursue a civil action in court.

The legislation encourages employers to provide the information in plain language and to promote workplace practices designed to prevent discriminatory conduct.

### ***School District Notice Requirements***

The bills also impose notice obligations on school districts. Under the proposal, each district must provide students and their parents or guardians with information about civil-rights protections under the Minnesota Human Rights Act prior to the start of each school year.

School districts would also be required to post this information on their websites in the languages already used on the site. The notice must include contact information for the district's civil rights compliance coordinator, who is typically a principal or another designated administrator.

Additionally, the bill encourages school districts to implement age-appropriate instruction or programming designed to help students understand their civil rights and prevent discriminatory conduct in school settings.

### **Disparate Impact Liability**

H.F. 3614 proposes changes to the provisions governing disparate impact liability under the MHRA. Disparate impact claims challenge neutral employment policies that disproportionately affect protected groups even absent discriminatory intent. The amendment would impose liability for disparate impact regardless of intent. The amendment also provides that a practice may be considered to have a predictable disparate impact if evidence shows it will likely cause a discriminatory effect, even if the policy has not yet been implemented. A claimant may challenge a practice that harms a group if they were personally injured by it, and if a group of policies collectively causes the disparity the claimant need not identify the specific policy responsible; however, a practice may still be lawful if it is necessary to achieve a substantial, legitimate, nondiscriminatory purpose and no less discriminatory alternative exists. Finally, the amendment also addresses the use of artificial intelligence by adding:

A practice of using artificial intelligence has a discriminatory effect when the practice actually or predictably results in a disparate impact on a particular class of persons protected by [this Act] or creates, increases, reinforces, or perpetuates segregated housing patterns.

Modifications to these provisions could influence the standards applied to employment policies and workplace practices.

## **Veteran Status Protections**

H.F. 3540 would add protections for veterans under the MHRA, further reinforcing protections related to military service.

## **Definition of Sexual Orientation**

H.F. 3670 would modify the statutory definition of “sexual orientation” for purposes of the MHRA to not include the physical or sexual attraction to children by an adult.

## **Accommodation Discrimination**

Finally, H.F. 3799 proposes adding a new provision addressing accommodation discrimination within the MHRA. The amendment provides Accommodations allow persons with disabilities to participate fully in these areas of protection and that failure to engage in the process to determine an accommodation may be discriminatory.

## **What Employers Should Watch**

Although these bills remain in committee and may change as they move through the legislative process, they reflect continued legislative attention to expanding rights and adjusting enforcement mechanisms under Minnesota’s primary anti-discrimination statute. We will continue to monitor these proposals, as amendments to the MHRA can have significant implications for workplace policies, complaint procedures, and litigation risk. Please reach out with any questions.

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