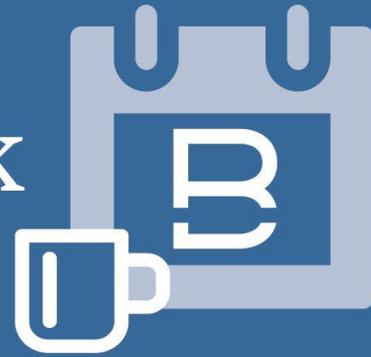


# The Work Week

Bassford Remele Employment Practice Group



March 23, 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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## Take a Seat: Minnesota's Proposed Suitable Seating for Employees Law

[Daniel R. Olson](#)

As in prior Minnesota legislative cycles, *The Work Week* is monitoring current bills impacting employment law that are introduced in the House and Senate. We recently covered [proposed amendments to the Minnesota Human Rights Act](#). This week, we sit down and examine another workplace protection currently in legislation: the right to suitable seating in the workplace.

H.F. 3796, entitled "[Suitable Seating for Employees](#)," would create a legal right to be sedentary at work, subject to certain caveats. The bill would require employers to "provide suitable seating for employees" and to "permit the use of those seats by employees when the nature of the work permits the use of seats." The bill defines "suitable seating" to include "any of the following types of seats that have support for an individual's back: a chair, stool, or bench." The bill further requires employers to have "an adequate number of seats placed in close proximity to the work area." Importantly, the bill also calls for hefty fines for employers based on the seriousness of the violation under [Minn. Stat. § 182.666](#): "nonserious" violations are capped at \$15,625 per violation, whereas "willful or repeated" violations may result in per-violation fines of \$156,259. The bill is early in the legislation cycle and has currently been referred to the House Workforce, Labor, and Economic Development Committee. The Committee is next scheduled to meet tomorrow, March 24.

The bill does not presently define what constitutes an "adequate number of seats." The bill also does not currently define "when the nature of the work permits the use of seats," which would most-certainly be subject to litigation in the absence of any additional guidance from the legislature. For example, industries comprised of mobile workforces—like construction, healthcare, and hospitality—would surely dispute whether the nature of their work would permit

the use of seats. The bill also stands to impact collective bargaining agreements that have negotiated suitable seating for employees.

The right to suitable seating was a focal point of the labor movement in the early 1900s, with most states passing legislation granting sitting rights for employees, typically for female employees. Many of those state laws repealed those statutes over the latter part of the century, however, with an eye towards adopting more gender-neutral seating laws. Suitable-seating laws began to gain traction again in the late 2010s and early 2020s following a series of lawsuits in California, including a class action brought on behalf cashiers that Safeway settled for \$12 million.

As with the proposed amendments to the Minnesota Human Rights Act, the Suitable Seating bill may change as it moves through the legislative process and may ultimately die on the vine. The Labor and Employment team at Bassford Remele will continue to monitor these and other employment-law bills throughout the 2026 legislative session. Please reach out with any questions.

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