

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. ____

MINNEAPOLIS-ST. PAUL INTERNATIONAL AIRPORT

MINIMUM WAGE ORDINANCE

DRAFT

Adopted by Commission: _____, 20__
Effective Date: Effective April 1, 2020

1 METROPOLITAN AIRPORTS COMMISSION
2
3 MSP AIRPORT MINIMUM WAGE ORDINANCE
4

5 ORDINANCE NO. ____
6

7
8
9 TABLE OF CONTENTS
10

11
12 SECTION 1 - FINDINGS AND PURPOSE
13

14 SECTION 2 - DEFINITIONS
15

16 SECTION 3 - SCOPE
17

18 SECTION 4 - MINIMUM WAGE
19

20 SECTION 5 - POSTING OF NOTICE TO EMPLOYEES AND TETALIATION PROHIBITED
21

22 SECTION 6 - EMPLOYER RECORDS
23

24 SECTION 7 - INVESTIGATIONS, ENFORCEMENT, AND VIOLATIONS
25

26 SECTION 8 - GENERAL PROVISIONS
27

METROPOLITAN AIRPORTS COMMISSION

MINNEAPOLIS-ST. PAUL INTERNATIONAL AIRPORT MINIMUM WAGE

ORDINANCE NO. ____

An Ordinance to promote and conserve public welfare, public safety, health, peace, convenience and national security and at the Minneapolis-St. Paul International Airport, by regulating through its police powers the wages paid to Employees working at Minneapolis-St. Paul International Airport, a public airport under the operation, direction and control of the Metropolitan Airports Commission.

The Metropolitan Airports Commission does ordain:

SECTION 1 – FINDINGS AND PURPOSE

1.1 Findings and Purpose

Organized as a public corporation under Minnesota Statutes Section 473.603, the Metropolitan Airports Commission has broad authority through its police powers to enact regulation to further the public welfare, public safety, health, peace, convenience and national security at the Minneapolis-St. Paul International Airport.

SECTION 2 – DEFINITIONS

2.1 Airport. The Minneapolis-St. Paul International Airport, Wold-Chamberlain Field, a public airport under the supervision, operation, direction and control of the Metropolitan Airports Commission, and located in the County of Hennepin and State of Minnesota, including all property owned by the MAC at MSP Airport.

2.2 Commission or MAC. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.

2.3 Department. The MAC Human Resources & Labor Relations Department or its successor in function.

2.4 Director. The Vice President of Human Resources & Labor Relations or their successor in function or their designee.

2.5 Employee. The meaning given in Minnesota Statutes, Section 177.23. For purposes of this Ordinance, Employee does not include the following persons:

- (a) Employees classified as extended employment program workers as defined in Minnesota Rules part 3300.600-6070 and participating in the Minnesota Statutes, Section 268A.15 extended employment program, as they may be amended from time to time,
- (b) Pilots and flight attendants, and

1
2 (c) An individual operating as an independent contractor as defined in Minnesota Statutes
3 Section 181.723, subd. 4.
4

5 2.6 Employer. Any individual, partnership, association, corporation, business trust, or any person or
6 group of persons acting directly or indirectly in the interest of an Employer in relation to an
7 Employee. For purposes of this Ordinance, "Employer" does not include any of the following:
8

9 (a) The United States government.

10
11 (b) The State of Minnesota, including any office, department, agency, authority, institution,
12 association, society or other body of the state, including the legislature and the judiciary.
13

14 (c) Any county or local government, except MAC.
15

16 (d) Providers with certificates issued by the United States Department of Labor or the Minnesota
17 Department of Labor and Industry for purposes of subminimum wage payments pursuant to
18 Minnesota Statutes, Section 177.28 and Minnesota Rules part 5200.0030, but only to the
19 extent of the workers specifically covered by the subminimum wage certificate.
20

21 2.7 Executive Director/CEO. The Commission's chief executive officer or their designated representative.
22

23 2.8 Hearing Officer. A designee of the Executive Director/CEO or a third party authorized by the
24 Executive Director/CEO who shall conduct hearings, hear evidence and make a final determination
25 regarding violation(s) of this Ordinance.
26

27 2.9 Hours Worked. Has the meaning as prescribed in the Fair Labor Standards Act and Title 29, Part
28 785 of the Code of Federal Regulations, and as amended.
29

30 2.10 Tips or Gratuities. Monetary contributions received directly or indirectly by an Employee from a
31 guest, patron, or customer for services rendered and includes an obligatory charge assessed to
32 customers, guests, or patrons which might reasonably be construed by the guest, customer, or
33 patron as being a payment for personal services rendered by an Employee and for which no clear
34 and conspicuous notice is given by the Employer to the customer, guest, or patron that the charge is
35 not the property of the Employee.
36

37 2.11 Wage. Compensation due to an Employee by reason of employment, payable in legal tender of the
38 United States or checks on banks convertible into cash on demand at full face value. The term
39 Wage does not include health insurance or other benefits provided to Employees.
40

41 2.12 Workweek. A fixed and regularly occurring period of 168 hours (seven consecutive 24-hour
42 periods) as established by an Employer.
43
44

1 **SECTION 3 – SCOPE**

2
3 3.1 **All Airport Employers**

4
5 This Ordinance applies to all Employers at the Airport, subject to Section 3.3.
6

7 3.2 **Hours Worked**

8
9 Subject to the subsections below, Employees are covered by this Ordinance for all Hours Worked
10 (full or partial) at the Airport in the performance of services materially affecting the traveling public
11 or aircraft operations. Such services include, but may not be limited to, the following services:
12

13 **Passenger-Related Security Services**

14 Escort
15 Catering Security
16 Passenger Aircraft Security
17 Terminal and Building Security
18 Traffic Security
19

20 **Ramp Services**

21 Baggage Handling
22 Load Control and Ramp Communication
23 Aircraft Maintenance and Fueling
24 Provision of Water, HVAC and Power
25 Aircraft Equipment and Lavatory Services
26 Passenger Aircraft Servicing
27 Cabin Equipment Maintenance
28 Aircraft Ground Movement Services
29 Gateside Aircraft Maintenance
30 Ramp Area Cleaning
31

32 **In-Terminal and Passenger Handling Services**

33 Baggage Handling
34 Skycap
35 Wheelchair Assistance
36 Ticketing
37 Customer Service
38 Queue Management
39 ID Checkers
40 Baggage Porter Services
41 Passenger and Employee Shuttle Services
42

43 **In-Flight Catering Services**

44 Food preparation and packaging, inspection, delivery, cleaning, etc. for commercial aircraft
45 operations
46

1 **Cleaning Services**

2 Terminal and Hotel Building and Public Space Janitorial/Cleaning
3 Aircraft Cabin Cleaning
4 Aircraft Washing
5

6 **Concession Services**

7 In-Terminal Food Service – quick-serve, sit-down, bar, busing, cashier, catering, etc.
8 In-Terminal Retail Service – retail, news/gift, duty-free, etc.
9 Airport Lounge Services
10 Hotel
11 Rental Auto Service
12

- 13 (a) An Employee who is based outside the Airport and performs work at the Airport on an
14 occasional basis is covered by this Ordinance if the Employee in a particular Workweek
15 performs at least two (2) hours of work for an Employer within the geographic boundaries of
16 the Airport.
17
18 (b) Time spent at the Airport solely for the purpose of traveling through the Airport from a point
19 of origin outside the Airport to a destination outside the Airport, with no employment-related
20 or business-activity stops in the Airport, is not covered by the Ordinance. For purposes of this
21 provision, Employee personal meals or errands do not constitute employment-related or
22 commercial stops.
23
24 (c) Time spent at the Airport solely for the purpose of traveling on a commercial or private flight
25 as a passenger departing or arriving at the Airport is not covered by this Ordinance.
26

27 **SECTION 4 – MINIMUM WAGE**

28
29 4.1 Minimum Wage

- 30
31 (a) An Employer shall pay an Employee covered by this Ordinance, a Wage, exclusive of
32 benefits, of no less than the hourly rates set under the authority of this Ordinance for all
33 Hours Worked at the Airport.
34
35 (b) On July 1, 2020, the hourly Wage shall be thirteen dollars and twenty-five cents (\$13.25).
36
37 (c) On July 1, 2021, the hourly Wage shall be fourteen dollars and twenty-five cents (\$14.25).
38
39 (d) On July 1, 2022, the hourly Wage shall be fifteen dollars (\$15.00).
40
41 (e) Beginning January 1, 2023, the hourly Wage shall be adjusted annually on January 1 by
42 adding the then-current hourly Wage plus the inflationary figure as determined in sub-section
43 (f) below. For example, on January 1, 2023, the hourly Wage will be fifteen dollars (\$15.00)
44 plus the inflationary figure.
45
46 (f) No later than September 1 of each year, beginning in 2022, the Director shall determine the

1 inflationary figure in the minimum Wage rate in subsection (e) based on the percentage
2 increase calculated by the Commissioner of Labor and Industry as required in Minnesota
3 Statutes Section 177.24, Subdivision 1(f). For 2022 only, the inflationary figure shall
4 be divided by two to determine the January 1, 2023 adjustment. For subsequent years, the
5 inflationary figure shall be the full percentage increase rounded to the nearest cent. A
6 minimum Wage rate shall not be reduced under this subsection. The Director shall announce
7 the adjusted minimum Wage rate by September 8 of each year. The new minimum Wage rate
8 determined under this subsection shall take effect on January 1 of each subsequent year.

- 9
10 (g) Nothing in this Ordinance shall be construed to limit the ability of an Employer to pay an
11 individual under the age of 20 years in their first 90 days of employment according to the
12 provisions of Minnesota Statutes Section 177.24, subd. 1(c), or as amended.

13
14 4.2 Tips and Gratuities

15
16 No Employer may directly or indirectly credit, apply, or utilize Tips or Gratuities towards payment of
17 the minimum Wage set by this Ordinance.

18
19 **SECTION 5 – POSTING OF NOTICE TO EMPLOYEES AND RETALIATION PROHIBITED**

20
21 5.1 Notices

22 On an annual basis, the Department shall publish and make available to Employers, in English and
23 other languages as determined by the Department, notices suitable for posting by Employers in the
24 workplace informing Employees of the current minimum Wage rate and their rights under this
25 Ordinance.

26 5.2 Posting of Notices

27 Every Employer shall post, in a conspicuous place at every workplace or job site where any
28 Employee works, the notices described in Section 5.1. Every Employer shall post this notice in
29 English, and in any other language, if published by the Department. If Employees for multiple
30 Employers share workspaces or job sites, the Department may allow, in its sole discretion, a single
31 posting covering multiple Employers in such an area provided the Notice meets all other
32 requirements of this Section.

33 5.3 Retaliation Prohibited

34
35 It shall be unlawful for an Employer or any other person to interfere with, restrain, or deny the
36 exercise of, or the attempt to exercise, any right protected under this Ordinance, including, but not
37 limited to, inquiring, disclosing, reporting, or testifying about any violation of this Ordinance. An
38 Employer shall not take adverse employment action or discriminate against an Employee because
39 the Employee has exercised rights under this Ordinance.

40
41 It shall be a rebuttable presumption of retaliation if an Employer takes an adverse action against an
42 Employee within ninety (90) days of the Employee's exercise of any right protected by this

1 Ordinance. An Employer may rebut the presumption with clear and convincing evidence that the
2 adverse action was taken for a permissible purpose.

3
4 A Person injured by a violation of this subsection may bring a civil action in the Fourth Judicial
5 District Court for any and all damages recoverable at law, together with costs and disbursements,
6 including reasonable attorney's fees, and may receive injunctive or other equitable relief as
7 determined by the court.
8

9 **SECTION 6 – EMPLOYER RECORDS**

10 11 6.1 Records Requirements

12
13 An Employer shall create and retain records documenting Wages paid to each Employee. Such
14 records shall be retained for a period of not less than three (3) years from the date such hours were
15 worked.

16 17 6.2 Employee Inspection

18
19 An Employer must allow an Employee to inspect records required by this Ordinance and relating to
20 that Employee at a reasonable time and place. If requested by an Employee, an Employer shall
21 make such records available to the requesting Employee immediately preceding or following one of
22 the Employee's shifts.
23

24 6.3 Audit

25
26 The Department shall have access to the records required by this Ordinance, with appropriate notice
27 and at a mutually agreeable time, to monitor, establish or investigate compliance with the
28 requirements of this Ordinance, including, but not limited to, inspections of books and records,
29 interviewing Employees and former Employees, and investigating alleged violations of this
30 Ordinance.
31

32 6.4 Failure of Records

33
34 If an Employer fails to create and/or retain adequate records or does not allow the Department
35 reasonable access to the records, then any alleged violation(s) of an Employee's rights under this
36 Ordinance shall be presumed violated. An Employer may challenge the presumption only with clear
37 and convincing evidence otherwise.
38

39 **SECTION 7 – INVESTIGATIONS, ENFORCEMENT, AND VIOLATIONS**

40 41 7.1 Director's Authority

42
43 The Director has broad authority to implement, administer and enforce this Ordinance. The Director
44 shall have broad authority to investigate possible violations of this Ordinance whenever there is

1 cause to believe that a violation of this Ordinance has occurred. The Director may promulgate
2 appropriate rules to implement, administer and enforce this Ordinance. Such rules shall:
3

- 4 (a) Be consistent with this Ordinance and may be relied on by Employers, Employees, and
5 other persons to determine their rights and responsibilities under this Ordinance.
6 (b) Establish procedures for fair, efficient, and cost-effective implementation and enforcement
7 of this Ordinance, including rules ensuring timely review of reports of violation and
8 governing procedure for any appeals to a Hearing Officer.
9 (c) Establish procedures for informing Employers of their duties and Employees of their rights
10 under this Ordinance and monitoring Employer compliance.

11
12 The Director shall publish, maintain, and make available to the public any such initial rules at least
13 ninety (90) days prior to their effective date. Any revisions to published rules shall be published,
14 maintained, and made available to the public at least thirty (30) days prior to their effective date.
15

16 7.2 Employee Complaints of Violations

17
18 An Employee or other person may report to the Department any suspected violation of this
19 Ordinance. A report of a suspected violation may be filed only if the matter complained of
20 occurred after the effective date of this Ordinance and within three hundred sixty-five (365) days
21 prior to filing of the report. Nothing in this Section is intended to limit the Director's broad
22 authority to investigate possible violations of this Ordinance whenever the Director has cause to
23 believe that any violation of this Ordinance has occurred.
24

25 7.3 Investigation process

- 26
27 (a) The Department has sole discretion to decide whether to investigate or to pursue a violation
28 of this Ordinance. If the Department decides not to investigate or otherwise pursue a report
29 of suspected violation, the Department must provide a written notification to any Employee
30 or other person who filed the report that the Department is declining to further investigate
31 the report and reason for declining. The Employee within twenty-one (21) days, file a
32 request for reconsideration with the Director. The Director must provide a written response
33 on the reconsideration within ten (10) days.
34
35 (b) The Department may initiate an investigation pursuant to a complaint or when the Director
36 has reason to believe that a violation has occurred. To pursue a violation of this Ordinance,
37 the Director must serve a notice of investigation setting forth the allegations and pertinent
38 facts upon an Employer by U.S. mail. The notice of investigation shall be accompanied by
39 a request for a written position statement and may include a request for records or other
40 information. The notice shall also inform the Employer that retaliation for claiming rights
41 under this Ordinance is a basis for additional monetary damages.
42
43 (c) An Employer's position and response to any request for records must be provided to the
44 Department as within twenty-one (21) days. An Employer's failure to provide a position
45 statement or to timely and fully respond to a request for records or any other reasonable
46 request issued by the Department pursuant to an investigation creates a rebuttable

1 presumption of a violation of this Ordinance for the purposes of the investigation and
2 determination of violation. An Employer that fails to respond to a request for records may
3 not use such records in any appeal pursuant to challenge the correctness of any
4 determination of violation by the Director of damages owed or penalties assessed.
5

- 6 (d) Investigations shall be conducted in an objective and impartial manner.
7
8 (e) The Department shall consider any statement of position or evidence with respect to the
9 alleged violation which the Employee or person who filed the report of suspected violation
10 or Employer wishes to submit.
11
12 (f) The Department may require a fact finding conference or participation in another process
13 with the Employer, Employee, or other person who filed the report of a suspected violation,
14 and any of their agents and witnesses during the investigation in order to define the issues,
15 determine which elements are undisputed, resolve those issues that can be resolved and
16 afford an opportunity to discuss or negotiate settlement.
17

18 **7.4 Director Determination of Violation**
19

20 Except when there is an agreed upon settlement, the Director must issue a written determination of
21 violation with findings of fact resulting from the investigation and a statement of whether a
22 violation of this Ordinance has or has not occurred based upon a preponderance of the evidence
23 before the Department. The determination of violation must be issued to the Employer and any
24 Employee or other person who filed the suspected violation report and include any fines,
25 reinstatement, back pay, compensatory damages, interest, or other remedies.
26

27 For purposes of this Ordinance, a separate violation occurs for each pay period for each employee
28 not conforming to the requirements of this Ordinance. Notwithstanding the foregoing, the Director
29 may reduce the number of violations after weighing the unique factors of a case, including, but not
30 limited to, evidence of Employer's lack of intent, lack of notice to Employer of violative activity,
31 the amount of time required to remedy a violation, and the reasonableness of Employer's payroll
32 processes related to any violation.
33

34 If there is no appeal of the Director's determination of a violation, that determination of violation shall
35 constitute the Commission's final decision. An Employer's failure to appeal the Director's
36 determination of a violation shall constitute a failure to exhaust administrative remedies, which shall
37 serve as a complete defense to any petition or claim brought by the Employer against the Commission
38 regarding the Director's determination of a violation.
39

40 **7.5 Relief and Administrative Fines**
41

42 If an Employer is found to have violated this Ordinance, the Director shall order the Employer to
43 cease and desist from engaging in the violative practice and may order any appropriate relief,
44 including, but not limited to:
45

- 46 (a) Reinstatement, back pay, and compensatory damages, less any amount actually paid to the
47 Employee by the Employer, and for an additional equal amount as liquidated damages.

- 1
2 (b) Payment of a civil penalty of up to one thousand dollars (\$1,000.00) for each violation for
3 each Employee by an Employer who is found to have repeatedly or willfully violated this
4 Ordinance. In determining the amount of the civil penalty, the size of the Employer and the
5 gravity of the violation shall be considered.
6
7 (c) Reimbursement of the Department for all appropriate costs expended in enforcing this
8 Ordinance, unless the payment of costs would impose an extreme financial hardship on the
9 Employer, in which case the Director may order the payment of a percentage of costs
10 expended which will not cause extreme financial hardship on the Employer.
11
12 (d) Payment to the Department of a fine of up to one thousand dollars (\$1,000.00) for each
13 failure to comply with Records section of this Ordinance. In determining the amount of the
14 fine, the size of the Employer and the gravity of the violation shall be considered.
15
16 (e) Payment to the Department of a fine of up to two hundred dollars (\$200.00) for each failure
17 to comply with Notice and Posting sections of this Ordinance. In determining the amount
18 of the fine, the size of the Employer and the gravity of the violation shall be considered.
19
20 (f) Payment to the Department of a fine of not less than seven hundred dollars (\$700.00) nor
21 more than three thousand dollars (\$3,000.00) for each violation of Retaliation Sections of
22 this Ordinance.
23
24 (g) The maximum sanctions authorized in subsections (b), (d), (e) and (f) shall be trebled for
25 third and subsequent violations in each category.
26
27 (h) In any determination of violation under this Ordinance, the Director or Hearing Officer, as
28 the case may be, shall award interest on all amounts due and unpaid at the rate of interest
29 specified in Minnesota Statutes, Section 549.09.
30

31 The Director shall impose deadlines for the performance of each remedy or penalty imposed. The
32 remedies, penalties, and procedures provided under this Ordinance are cumulative. Payment of
33 fines, interest, reinstatement, back pay, and compensatory damages must be received within twenty-
34 one (21) calendar days of the date on which the determination of violation is dated, or where a hearing
35 is requested, within twenty- one (21) calendar days of the date of the Commission's final action
36 affirming the determination of violation.
37

38 7.6 Hearing Procedure

39

- 40 (a) An Employee, former Employee, or Employer may appeal from a determination of
41 violation or penalty by filing an appeal in writing with the Department within twenty-one
42 (21) days of notice of the determination of violation. Failure by the Employer to file a
43 timely, written appeal shall constitute admission to the violation, and the violation shall be
44 deemed final upon expiration of the twenty-one (21) day period. Upon an appeal of the
45 Director's determination of a violation, the Department shall refer the matter to a Hearing
46 Officer who is authorized by the Executive Director/CEO to hear such appeals.

- 1
2 (b) In such appeal, the Hearing Officer shall consider the record submitted to it by the
3 Department, the written statements of positions by the parties involved and the contents of
4 the hearing. The hearing shall be conducted by the Hearing Officer, shall be recorded by a
5 digital recorder or by a qualified reporter, and shall proceed as follows:
6
7 1. The Director shall present evidence which supports the facts constituting grounds
8 for the determination of violation.
9
10 2. The party requesting the hearing may appear in person, may be represented by
11 counsel, may cross-examine Director's witnesses who are present, and may
12 present any relevant evidence which the Person has relating to the facts
13 constituting grounds for the determination of violation. The evidence at the
14 hearing shall be limited to that which is relevant to the facts which possesses
15 probative value commonly accepted by reasonable and prudent persons in the
16 conduct of their affairs constituting grounds for the determinations of violation
17 and may include hearsay evidence.
18
19 3. All testimony shall be taken under oath, but both the Director and the party
20 requesting the hearing may introduce testimony under oath in the form of sworn
21 statements if witnesses are unavailable or refuse to appear in person.
22
23 4. The Director must prove that the Employer violated this Ordinance by a
24 preponderance of the evidence.
25
26 5. The Hearing Officer shall hear the evidence and shall make findings concerning
27 the facts and conclusions of law relevant to the violation(s) set forth in the
28 determinations of violation and penalty imposed.
29
30 6. The Hearing Officer shall issue a report in writing stating their findings,
31 conclusions and decision as soon as practical following the hearing.
32
33 (c) The Department shall notify the Employer and the Employee who filed the suspected
34 violation report at issue of the Hearing Officers' decision.
35
36 (d) The Hearing Officers' decision of the appeal shall constitute the Commission's final
37 decision without any further right of administrative appeal. An Employer or Employee, to
38 the extent provided by law, may appeal the Hearing Officers' decision by petition for writ
39 of certiorari to the Minnesota Court of Appeals pursuant to Minnesota Statutes, Section
40 606.01
41

42 7.7 Civil Enforcement and Private Cause of Action
43

- 44 (a) Where prompt compliance is not forthcoming with a final determination of violation, the
45 Department may refer the action to the Commission's Office of Legal Affairs to consider
46 initiating a civil action in a court of competent jurisdiction against an Employer, for
47 violating any requirement of this Ordinance and, upon prevailing, shall be entitled to such

1 legal or equitable relief as may be appropriate to remedy the violation, including, without
2 limitation, the payment of lost Wages, the payment of an additional sum as a civil penalty
3 not to exceed twice the amount awarded for lost Wages, and reinstatement in employment
4 and/or injunctive relief and shall be awarded reasonable attorneys' fees and costs.
5
6

- 7 (b) An Employee may bring a civil action in district court seeking redress for a violation or
8 violations of this Ordinance within forty-five (45) days after receipt from the Director of
9 a notice of determination of no violation of this Ordinance or, if applicable, within forty-
10 five (45) days after receipt of notice that the Director has reaffirmed a determination of
11 no violation of this Ordinance if the Employee requested reconsideration. For purposes
12 of this subsection, notice is presumed to be received five (5) days from the date the
13 notice was mailed by the Director. An Employee who prevails in a civil action filed
14 under this subsection is entitled to the same relief that would be available to the MAC
15 under subsection (a) of this section.
16

17 **SECTION 8 – GENERAL PROVISIONS**

18 19 8.1 Penalty

20
21 Any Person violating any of the provisions of this Ordinance shall upon conviction be punished by
22 sentence within the parameters of the maximum penalty for misdemeanors set forth in Minnesota
23 Statutes Section 609.03 or as amended.
24

25 8.2 Provisions Severable

26
27 If any part of this Ordinance shall be held unconstitutional or invalid, this does not affect the
28 validity of the remaining parts of this Ordinance. The Commission declares it would have passed
29 the remaining parts of this Ordinance without the unenforceable provisions.
30

31 8.3 Preemption

32
33 Nothing in this Ordinance shall be interpreted or applied so as to create any power or duty in
34 conflict with federal or state law.
35

36 8.4 Time Periods

37
38 The time periods set forth in this Ordinance shall be based on calendar days unless otherwise
39 specified.
40

41 8.5 No Assumption of Liability

42
43 In undertaking the adoption and enforcement of this Ordinance, MAC is undertaking only to
44 preserve and protect safety, health, and general welfare. MAC is not assuming liability, nor is it
45 imposing on its officers and Employees, an obligation for breach of which it is liable in money
46 damages to any person who claims that such breach proximately caused injury. This Ordinance

1 does not create a legally enforceable right against MAC.
2

3 8.6 Notice Provided by MAC
4

5 Notice, including determinations of violations, as required by this Ordinance to be given to an
6 Employee or Employer, is sufficient if delivered in person or sent by U.S. mail to the last
7 address on file with MAC. Time of "issuance" means when the notice is hand delivered or
8 placed in the mail.
9

10 8.7 Notice of Other Sources of Law
11

12 The following laws, as amended and until repealed, apply at the Minneapolis-St. Paul International
13 Airport:
14

- 15 a. Minnesota Fair Labor Standards Act. Minnesota Statutes Sections 177.21-177.35.
 - 16 b. Minnesota Payment of Wages Law. Minnesota Statutes Sections 181.01-181-1721.
 - 17 c. Minnesota Equal Pay for Equal Work Law. Minnesota Statutes Sections 181.66-181.71.
 - 18 d. Minnesota Theft and Related Crimes Law, Wage Theft. Minnesota Statutes Section 609.52.
- 19

20 Nothing in this section shall be construed to expand or limit the application of any law.
21

22 8.8 Effective Dates
23

24 This Ordinance is effective April 1, 2020.