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Minneapolis Expands Workplace Civil Rights Protections and Reasonable Accommodation Obligations

Law and the Workplace on **May 20, 2025**

On May 1, 2025, Minneapolis, Minnesota's city council passed several amendments to its civil rights ordinance (the "Ordinance"), which prohibits discriminatory practices in employment, among other areas. With regard to employment, the amendments add new protected classes, expand the definition of race, familial status, and disability, and increase protections for pregnant workers and religious observance.

New Protected Classes in Employment

Justice-Impacted Status: One of the most notable amendments is the addition of "justice-impacted status" as a protected class in employment. This is defined to mean the state of having a criminal record or history, including any arrest, charge, conviction, period of incarceration, or past or current probationary status. Employers will be required to ensure that any adverse employment decisions based on justice-impacted status are reasonably related to the job's requirements and to consider factors such as the nature of the crime, whether the individual was convicted, age of the individual at the time of the crime, time elapsed since the offense or conviction, evidence of rehabilitation, and any unreasonable risk to property or to the safety of specific individuals or the general public. Employers will further be precluded from making an adverse employment decision based on a not-currently-pending arrest not resulting in a conviction. However, actions taken when permitted by, and made in accordance with state or federal law, regulation, rule or government contract (such as related to positions in law enforcement or that involve working with children) do not constitute violations of law.

Housing Status: The amendments also add housing status as a protected class. The amendments define “housing status” as those who may or may not have “a fixed, regular, and adequate nighttime residence,” and provide that, except as required or authorized by federal or state law, regulation, rule or government contract, it is unlawful for an employer to refuse to hire or terminate an applicant or employee based on their housing status unless such action is because of a legitimate business justification not otherwise prohibited by law.

Height and Weight: The amendments also prohibit discrimination based on body height, weight, or size. This category encompasses, but is not limited to, both actual numerical measurement (including ratios or other metrics measuring the body in whole or in part) and the impression of a person as tall or short and/or fat or thin regardless of their numerical measurement. An affirmative defense is available to employers if an individual’s height or weight: (i) prevents them from performing the essential functions of their job and there is no reasonable accommodation available without placing an undue hardship on the employer; (ii) fundamentally alters the essential nature of the entity’s programs or services; or (iii) poses a direct threat to the health and/or safety of the individual or others. The protections also do not apply to an employment action where such action is required by federal, state, or local law or regulation.

Expanded Definitions

Race: The amendments broaden the definition of race under the Ordinance to include traits historically associated with race or perceived to be associated with race, such as skin color, certain physical features, hair texture, and protective hairstyles (such as afros, braids, locks and twists).

Familial status: The amendments also expand the definition of familial status (which is an existing protected category under the Ordinance) to now include not only having legal status or custody over one or more minors as a parent or legal guardian, but residing with and caring for individual(s) who lack the ability to meet essential requirements for physical health, safety, or self-care because of an “inability to receive and evaluate information or make or communicate decisions.”

Disability: The amendments broaden the definition of disability (also an existing protected category under the Ordinance and currently defined as a physical, sensory or mental impairment limiting one or more major life activities, having a record of such an impairment, or being perceived as having such an impairment) to now include impairments that are episodic or in remission and that would materially limit a major life activity of the individual when active. The amendments also codify that employers must initiate an "informal interactive process" with a qualified employee to determine an appropriate reasonable accommodation related to either disability or pregnancy-related limitations (discussed further below).

Pregnancy-Related Protections

The amendments will now require employers to engage in an informal interactive process and provide appropriate reasonable accommodations for the "known pregnancy-related conditions" of a qualified employee. "Known pregnancy-related limitation" is defined as "any physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the employee or employee's representative has communicated to the employer whether or not such condition meets the definition of disability" under the Ordinance. Employers shall not be required to provide an accommodation that imposes an undue hardship. Employers shall not be permitted to require a pregnant employee to take leave if another reasonable accommodation can be provided, nor can an employer take adverse action against an employee for requesting or receiving a pregnancy-related accommodation.

Religious Observance

The amendments will now require employers to accommodate employees' "known sincerely held religious beliefs or practices" unless doing so imposes an undue hardship.

Key Takeaways These amendments will apply to any complaint or charge filed under the Ordinance on or after August 1, 2025 unless superseded by subsequent amendments. Minneapolis employers are advised to review their policies and practices to ensure compliance with the new amendments.

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