



A GUIDE TO MINNESOTA'S

FINAL PAY AND WAGE CLAIM PROCESS

CONTACT INFORMATION

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www.dli.mn.gov/LaborLaw.asp



Notice: This brochure is a brief summary of Minnesota final pay laws and is intended as a guide. It is not to be considered a substitute for Minnesota statutes and rules.

This document can be provided in different forms, such as large print, Braille or audio, by calling (651) 284-5005.



FINAL PAY LAWS

WAGES DUE UPON SEPARATION

If an employee is terminated, discharged or fired, all wages and commissions owed at that time are due upon separation or within 24 hours of the employee's demand for the wages.

If an employee leaves employment voluntarily (quits), all wages and commissions owed at the time of separation are due on the next regularly scheduled payday. If the next payday following the employee's last day of work is within five days of the employee's last day of work, then the employer will have until the pay period after that to issue all final wages. However, under no circumstances can the wages be paid any later than 20 days from the employee's last day of work.

Employees who have not received their final wages within the required time period should demand their wages from their former employer in writing – learn how at www.dli.mn.gov/LS/FinalWages.asp.



PENALITES FOR FAILURE TO PAY FINAL WAGES

Under Minnesota's final pay laws, if the employer fails to pay final wages promptly, employees may collect the amount of the employee's average daily earnings for each day the employer is late in paying the wages, up to 15 days.

FILING A WAGE CLAIM WITH LABOR AND INDUSTRY

If an employee is unsuccessful in collecting final wages from their employer, the employee can contact the Minnesota Department of Labor and Industry by phone at (651) 284-5070 or by email at dli.laborstandards@state.mn.us to make a claim for wages and report the employer's violation of law.

The following information is necessary to file a wage claim:

- employee name, address and telephone number;
- employer's name, address, telephone number and manager or owner's name;
- last day of work;
- date final wages were demanded;
- amount due in final wages (if unknown provide as accurate an estimate as possible); and
- dates worked for the former employer that are unpaid.



RIGHT TO PRIVATE ACTION

FILING IN COURT

In addition to filing a wage claim with the Department of Labor and Industry, employees also have the right to file a private action in court.

If the amount of wages and penalties due equals \$15,000 or less, the employee may file in small claims court (conciliation court). Otherwise the employee must file in District Court.

MORE INFORMATION

For more information about filing a claim in court, visit www.mncourts.gov/selfhelp.

