

Employees in Minnesota to Have Right to Jury Trial under Amendment to Human Rights Act

By Gina K. Janeiro

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Effective August 1, 2014, Minnesota employees will have a statutory right to a jury trial under the Minnesota Human Rights Act ("MHRA"). This is a significant change to how disputes brought under the MHRA are decided in the courtroom.

Currently, Minnesota Statutes Section 363A.33, subdivision 6, states, "Any action brought pursuant to this chapter shall be heard and determined by a judge sitting without a jury." The amendment replaces that sentence with the following: "A person bringing a civil action seeking redress for an unfair discriminatory practice ... is entitled to a jury trial."

MHRA claims are now tried directly to the judge in a court trial, unlike discrimination claims under Title VII of the federal Civil Rights Act, which are heard by a jury. Starting in August, however, state and federal discrimination claims in Minnesota will be handled similarly and plaintiffs will be allowed a jury trial under both statutes.

This could lead to more Minnesota plaintiffs bringing their claims in Minnesota state court instead of U.S. District Court.

Please contact the Jackson Lewis attorney with whom you regularly work if you have any questions about this or other workplace developments.

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