

# Minneapolis Anti-Discrimination Law Revised: Expands Protections to Body Size, Criminal History in Employment Decisions

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## Meet the Authors



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## Takeaways

- The amended Civil Rights Ordinance newly bars employers from discrimination based on “justice-impacted status,” housing status, and height and weight and applies beginning 08.01.25.
- The new law also requires employers to provide religious accommodations and pregnancy-related accommodations.
- Minneapolis employers should review and revise their policies and practices to ensure compliance.

## Related link

- [Amended Ordinance](#)

## Article

The City of Minneapolis recently [amended its Civil Rights Ordinance](#). Among other changes, the amended Ordinance significantly impacts employers by:

- Expanding the scope of characteristics subject to its anti-discrimination provisions;
- Broadening the types of accommodations employers must provide to employees; and
- Revising the City’s process for receiving and resolving complaints under the Ordinance.

The new law will apply to any complaint or charge filed under the Ordinance on or after Aug. 1, 2025.

## Expanded Scope of Protected Characteristics

The amended Ordinance prohibits employers from discriminating against an employee or job applicant on the basis of:

- Justice-impacted status;
- Housing status; or
- Height and weight.

“Justice-impacted status” refers to an employee’s or applicant’s prior criminal history, including conviction, arrest, or charging records, and probationary status. Employers must not base employment decisions on these histories unless the histories are reasonably related to the individual’s ability, fitness, or capacity to perform the job duties. To determine if a history is “reasonably related,” employers must consider:

## Related Services

Background Checks  
Disability, Leave and Health  
Management  
National Compliance and Multi-  
State Solutions

- Whether the individual was convicted;
- The time elapsed since the offense or conviction;
- The nature and gravity of the crime(s);
- The individual's age at the time of the offense;
- The individual's rehabilitation efforts; and
- Whether the individual poses an unreasonable risk to property or to the safety and welfare of others.

The Ordinance carves out special exceptions for certain roles, including those involving children or law enforcement.

"Housing status" relates to whether a person has or lacks a fixed, regular, and adequate residence.

"Height and weight" refer to both perceived characteristics (tall/short, thin/fat) and objective measures, such as numerical scores, ratios, and metrics. The amended Ordinance permits an employer to raise an affirmative defense if an individual's height or weight prevents them from performing the fundamental job duties of the position with or without accommodation.

The amended Ordinance also modifies definitions of preexisting protected characteristics. For example, it expands the definition of "race" to cover traits historically associated with race such as hair texture and hairstyles (including afros, braids, locks, and twists).

Finally, "familial status" includes individuals who care for individuals who cannot manage their own physical health, safety, or self-care or who are unable to receive, evaluate, or communicate their own healthcare decisions.

### Additional Types of Accommodations

The amended Ordinance expands the types of accommodations an employer must provide its employees and applicants. Failing to provide these accommodations may constitute evidence of discrimination.

First, employers must provide employees with religious accommodations for sincerely held religious beliefs, unless doing so would impose an "undue hardship" on the employer. The Ordinance redefines "undue hardship" as a significant difficulty or expense for the employer, and this determination requires a case-by-case analysis.

Second, employers must reasonably accommodate pregnancy-related limitations. The Ordinance expressly forbids employers from requiring a pregnant employee to take a leave of absence for their pregnancy-related limitations if another reasonable accommodation would permit the employee to perform their job. However, as with religious accommodations, employers are not required to provide accommodations that cause an undue hardship.

### Revised Complaint Procedures

The amended Ordinance updates how the Minneapolis Department of Civil Rights (MDCR) handles charges. Under the changes, when a complainant appeals a finding of no probable cause, the appeal goes to a panel of three individuals — one of whom must be a lawyer. The panel must review the record in the light most favorable to the MDCR's no probable cause finding and can only overturn the decision if the panel find the ruling was "clearly

erroneous.” The panel has 90 days to complete its review and issue findings.

The Ordinance also modifies when MDCR may dismiss charges. While the Department may dismiss charges that are untimely, it will no longer dismiss them based on a lack of evidence or in the interests of justice.

To understand how these amendments to the Minneapolis Civil Rights Ordinance might affect your organization, contact a Jackson Lewis attorney for insights and guidance.

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