

Minneapolis Amends Its Civil Rights Ordinance to Expand Protections in Employment Decisions

Alert

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On May 1, 2025, the Minneapolis City Council unanimously approved [amendments](#) to the city's Civil Rights Ordinance, including the addition of anti-discrimination protections for height and weight in business, educational institutions, public accommodations and services, professional organizations, matters involving property rights, lending and real estate services, and employment and labor organizations.

Employers in Minneapolis, defined in the ordinance as any person in Minneapolis who hires or employs an employee and any person, wherever situated, who hires or employs an employee whose services are partially or wholly performed in Minneapolis, will be required to comply with this amended ordinance.

The amendments clarify that the new anti-discrimination protections relating to height and weight extend to perception—e.g., perceiving individuals as “tall” or “short,” or “thin” or “fat”—regardless of actual body measurements. Future claims brought under the ordinance based on these perceived characteristics may mirror and overlap with the “regarded as” analysis used for similar discrimination claims under the Americans with Disabilities Act and Minnesota Human Rights Act, which allow an employee to establish a claim based on perceived, rather than actual, protected status.

The city further expanded anti-discrimination protections in employment to proscribe discrimination based on “housing status” and criminal history (including any arrest, charge, conviction, period of incarceration, or probationary status—referred to in the ordinance as “justice-impacted status”).

These changes will take effect on August 1, 2025.

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LIMITATIONS AND EMPLOYER DEFENSES UNDER THE AMENDED ORDINANCE

The amended ordinance includes certain limitations to these additional protections. For example, the protections related to height and weight do not apply to override actions taken by an employer in order to comply with other federal, state, or local laws or regulations applicable to the employer. The ordinance further clarifies that it does not prohibit covered entities from offering voluntary wellness program incentives that promote healthy weight management. Moreover, an employer maintains an affirmative defense in enforcement actions brought under the ordinance where an individual's height or weight prevents them from performing the essential functions of the job and no reasonable accommodation can be made without (1) imposing an undue hardship on the employer, (2) fundamentally altering the nature of the employer's programs or services, or (3) creating a direct threat to the health or safety of the individual or others.

With respect to protections for justice-impacted status, an employer may still make related employment decisions "when permitted by, and made in accordance with state or federal law, regulation, rule, or government contract," and may consider an individual's justice-impacted status in employment decisions provided such decisions are "reasonably based on the relationship of the underlying conduct of the criminal history or record to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the position of employment or occupation" considering a number of factors outlined in the ordinance.

POTENTIAL SIGNS OF A WIDER TREND

With these new protections, Minneapolis joins the ranks of Washington, DC; Santa Cruz and San Francisco, CA; Madison, WI; Urbana, IL; New York City and Binghamton, NY; and the state of Michigan in a small but evolving movement expanding civil rights protections across the country to include 'sizeism' anti-discrimination measures.

While the Minneapolis ordinance only applies to complaints "occurring within" Minneapolis, its passage may signal future changes in state-wide legislation. For instance, in 2019, Minneapolis became the first city in Minnesota to ban conversion therapy. This was followed in 2021 by an executive order from Minnesota's governor that extended similar protections statewide, culminating in the 2023 passage of a law by the Minnesota Legislature that banned conversion therapy across the state. Likewise, Minneapolis passed its paid sick and safe time ordinance in 2016, and Minnesota later adopted a statewide paid sick and safe time law, which took effect in 2024. Minneapolis's newest expansion of its Civil Rights Ordinance may serve as a catalyst for sparking statewide legislative change—following a small but growing national trend—though no similar proposals have been presented in this last state legislative session.

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COMPLIANCE CONSIDERATIONS AND UNCERTAINTIES FOR EMPLOYERS

In the city council's efforts to expand its Civil Rights Ordinance protections to a greater swath of covered individuals, these amendments introduce legal uncertainties, raising important questions about how enforcement and interpretation will evolve in both administrative and judicial settings. Employers in Minneapolis will want to review and revise their employment policies and procedures to ensure that they are in compliance with the ordinance as the August 1 effective date approaches. Employers located outside of Minneapolis should also be aware that if they have employees performing services in Minneapolis, they will be required to comply with the ordinance as well.

Stinson will continue to follow the progress of this ordinance among other evolving labor and employment laws impacting the workplace, advising employers as they seek to navigate the evolving employment landscape.

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