

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 658

(SENATE AUTHORS: **DZIEDZIC and Nelson**)

DATE	D-PG	OFFICIAL STATUS
02/21/2013	354	Introduction and first reading Referred to Jobs, Agriculture and Rural Development
03/05/2013	568	Comm report: To pass
	568	Second reading
	576	Author added Nelson
04/22/2013	2595	Special Order
	2595	Third reading Passed
04/03/2014	7373	Author stricken Pederson, J. See HF729, Art. 2, Sec. 2

A bill for an act

1.1
 1.2 relating to labor and industry; allowing the commissioner of labor and industry
 1.3 to issue compliance orders for violations of misrepresentations of employment
 1.4 relationships; amending Minnesota Statutes 2012, section 177.27, subdivision 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 177.27, subdivision 4, is amended to read:

1.7 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring
 1.8 an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031,
 1.9 181.032, 181.101, 181.11, 181.12, 181.13, 181.14, 181.145, 181.15, 181.275, subdivision
 1.10 2a, 181.722, and 181.79, or with any rule promulgated under section 177.28. The
 1.11 commissioner shall issue an order requiring an employer to comply with sections 177.41
 1.12 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation
 1.13 is repeated if at any time during the two years that preceded the date of violation, the
 1.14 commissioner issued an order to the employer for violation of sections 177.41 to 177.435
 1.15 and the order is final or the commissioner and the employer have entered into a settlement
 1.16 agreement that required the employer to pay back wages that were required by sections
 1.17 177.41 to 177.435. The department shall serve the order upon the employer or the
 1.18 employer's authorized representative in person or by certified mail at the employer's place
 1.19 of business. An employer who wishes to contest the order must file written notice of
 1.20 objection to the order with the commissioner within 15 calendar days after being served
 1.21 with the order. A contested case proceeding must then be held in accordance with sections
 1.22 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer
 1.23 fails to file a written notice of objection with the commissioner, the order becomes a
 1.24 final order of the commissioner.