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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 572

02/14/2013 Authored by Nelson and Mahoney

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries

03/11/2013 Adoption of Report: Pass and re-referred to the Committee on Jobs and Economic Development Finance and Policy

1.1 A bill for an act
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.