

**3920.0400 COMPLIANCE REVIEW.**

Subpart 1. **Compliance requirements.** This part identifies the tests a jurisdiction must pass to be found in compliance. If a jurisdiction fails any of the tests which apply to that jurisdiction, as described in items A to D, the department must find the jurisdiction not in compliance.

A. A jurisdiction with six or more male-dominated classes and one or more salary ranges must pass the statistical analysis test described in part 3920.0500.

B. A jurisdiction with four or five male-dominated classes and one or more salary ranges, and a jurisdiction with more than three male-dominated classes and no salary ranges, must pass the statistical analysis test described in part 3920.0500 or, if that test is not passed, the alternative analysis test described in part 3920.0600.

C. A jurisdiction with three or fewer male-dominated classes must pass the alternative analysis test described in part 3920.0600.

D. All jurisdictions must pass all the other tests described in part 3920.0700.

Subp. 2. **Basis for analysis.** The statistical analysis test and the alternative analysis test are based on the maximum monthly salaries and on the job evaluation ratings listed in the jurisdiction's implementation report, except as provided in items A and B.

A. If a jurisdiction has no salary ranges, the analysis is based on the highest actual salary paid for each class.

B. If a jurisdiction provides different benefits to male-dominated and female-dominated classes of comparable work value as explained in part 3920.0300, subpart 6, and if those differences represent a disadvantage to any female-dominated class, the department must add the jurisdiction's benefits contribution limit to the maximum monthly salary or to the highest salary actually paid for each class.

Subp. 3. **Data review.** Before completing the compliance review, the department must mail to each jurisdiction a printout showing the data derived from the jurisdiction's implementation report which will be used in determining compliance for that jurisdiction. The department may not make a compliance decision for a period of 14 days after the date shown on the printout mailed to the jurisdiction. If a jurisdiction submits written notification to the department within the 14-day period that any of those data are in error, the department must review the data and correct any bona fide data entry errors before making a compliance decision.

**Statutory Authority:** *MS s 43A.04*

**History:** *17 SR 712*

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