

**3920.0800 COMPLIANCE NOTIFICATION.**

Subpart 1. **Written notice.** When the department makes a compliance decision, it must notify the jurisdiction in writing.

Subp. 2. **Jurisdictions in compliance.** If a jurisdiction is in compliance, the department must notify the jurisdiction of the date on which the next implementation report must be submitted to ensure that pay equity is maintained, as explained in part 3920.1300, subpart 2.

Subp. 3. **Jurisdictions not in compliance.** If a jurisdiction is not in compliance, the department must provide a detailed description of the basis for the finding, specific recommended actions to achieve compliance, an estimated cost of compliance, a date by which compliance must be achieved to avoid a penalty, and a date by which the jurisdiction must submit a revised report for reexamination by the department.

The revised report must consist of the same information required in the original implementation report, except that the information must be revised to be current as of the date by which compliance must be achieved to avoid a penalty. The date by which the jurisdiction must submit a revised report must be 30 days after the date by which compliance must be achieved to avoid a penalty.

In setting the date by which compliance must be achieved to avoid a penalty, the department must consider the basis for the noncompliance finding and the actions recommended to achieve compliance.

Subp. 4. **Report to legislature.** The department must list all jurisdictions found not in compliance in its annual pay equity report to the legislature.

Subp. 5. **Next steps.** If a jurisdiction found not in compliance disagrees with the compliance decision or the date by which compliance must be achieved to avoid a penalty, the jurisdiction may request reconsideration of the decision under part 3920.0900. If a jurisdiction found not in compliance agrees with the compliance decision, it must act to come into compliance and it must submit a revised report by the date specified in the compliance notice.

After the date specified in the compliance notice, the department must examine the revised report and make a revised compliance decision by the methods explained in parts 3920.0400 to 3920.0700.

A. If the department finds the jurisdiction in compliance as of the date specified, based on the revised report, no penalty may be imposed. The department must notify the jurisdiction that it is in compliance and must specify the date on which the next report must be submitted to ensure that pay equity is maintained, as explained in part 3920.1300, subpart 2.

B. If the department finds the jurisdiction not in compliance as of the date specified, based on the revised report, the department must notify the jurisdiction that the jurisdiction is not in compliance and that a penalty will be imposed under part 3920.1000. The department must provide a detailed description of the basis for the finding, specific recommend actions to achieve compliance, and an estimated cost of compliance. The jurisdiction may submit a request for suspension of penalty under part 3920.1100, a contested case appeal as explained in part 3920.1200, or both.

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

**History:** *17 SR 712*

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