

**5000.0540 DISMISSAL; FAILURE TO PROVIDE INFORMATION.**

Subpart 1. **When.** The commissioner shall dismiss a charge or a statement of grievance for failure to provide required information when:

- A. the statement of grievance does not conform to part 5000.0400;
- B. the information about a charge that the commissioner has is insufficient to make a determination and the charging party fails to provide information which the charging party claims to have or can obtain that may substantiate an allegation;
- C. the charging party fails to provide information essential to a charge that requires amending;
- D. the charging party indicates to the commissioner an intent to bring a private civil action but fails to proceed either as required by part 5000.0550 or Minnesota Statutes, section 363A.33, subdivision 3; or
- E. the charging party does not comply with part 5000.0400, subpart 2.

Subp. 2. **Procedure.** If informal means of obtaining the information fail, the commissioner shall notify the charging party by certified and first class mail of the need for the required information and the possibility of dismissal of the charge for failure to provide required information. If the information is not provided within 30 days of the date of notice, the commissioner shall dismiss the charge.

**Statutory Authority:** *MS s 363.05; 363A.06*

**History:** *11 SR 740*

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