

January 17, 2025

VIA E-FILING ONLY

Jeffrey F. Lebowski
General Counsel
Minnesota Department of Labor and Industry
443 Lafayette Rd N
Saint Paul, MN 55155
jeffrey.f.lebowski@state.mn.us

Re: *In the Matter of the Proposed Expedited Permanent Rules of the Department of Labor and Industry Governing Window Cleaning Safety Features*
OAH 24-9001-40536; Revisor 4876

Dear Jeffrey F. Lebowski:

Enclosed herewith and served upon you please find the **ORDER ON REVIEW OF RULES PURSUANT TO MINN. STAT. § 14.389 AND MINN. R. 1400.2410**. With the approval of these expedited rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Department so that the Department can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365.

Please ensure that the Department's signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. The Office of Administrative Hearings will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes and one copy to the Minnesota Department of Labor and Industry. **Pursuant to Minn. Stat. § 14.389, subd. 3 and Minn. R. 1400.2410, subp. 5, the Department is responsible for filing a copy of the expedited rules with the Governor.**

The Department's next step is to arrange for publication of the Notice of Adoption in the State Register. The Department should request copies of the Notice of Adoption from the Revisor's Office. One copy should be placed in the official rulemaking record. Two copies of the Notice of Adoption should be sent to the State Register for publication. Please note that if the final expedited rule is different from the rule originally published, an agency must publish a copy of the changes in the State Register. An expedited rule becomes effective upon publication of the Notice of Adoption in the State Register in accordance with Minn. Stat. § 14.389, subd. 3.

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If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink that reads "Nichole Sletten". The script is cursive and fluid, with the first name "Nichole" and last name "Sletten" clearly legible.

NICHOLE SLETTEN
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Office of the Revisor of Statutes

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Expedited
Permanent Rules of the Department of
Labor and Industry Governing Window
Cleaning Safety Features, *Minnesota*
Rules, part 1305.3114

**ORDER ON REVIEW OF
RULES PURSUANT TO
MINN. STAT. § 14.389
AND MINN. R. 1400.2410**

This matter came on before Assistant Chief Administrative Law Judge Kristien R. E. Butler upon the application of the Minnesota Department of Labor and Industry (Department) for a legal review pursuant to Minn. Stat. § 14.389 (2024).

On January 7, 2025, Department filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules pursuant to Minn. Stat. § 14.389 and Minn. R. 1400.2410 (2023).

Department submitted for review:

1. The rule, including the Revisor's approval;
2. The Notice of Intent to Adopt Expedited Rules (as mailed);
3. The Notice of Intent to Adopt Expedited Rules as published in the *State Register*;
4. A Copy of the Explanatory Memorandum linked within the Notice of Intent to Adopt Expedited Rules;
5. The Certificate of Accuracy of Department's E-mailing List and of E-mailing the Notice of Intent to Adopt Expedited Rules;
6. The Certificate of Accuracy of the Mailing List by U.S. Mail and the Certificate of Mailing the Notice of Intent to Adopt Expedited Rules;
7. The Certificate of Giving Additional Notice, a copy of the transmittal letter, and a copy of the Additional Notice Plan;
8. A copy of the received written comment on the proposed rules, including a copy of Department's Response;
9. A copy of the adopted rules;

10. The proposed Order Adopting Rules; and

11. The incorporated citation(s) to Department's statutory exemption from the rulemaking procedures of Minnesota Statutes, chapter 14, and any argument needed to support the claim of exemption.

Based upon a review of the submissions by Department,

IT IS HEREBY DETERMINED THAT:

1. Department has complied with the applicable procedural requirements of Minnesota Statutes, chapter 14 (2024), and Minnesota Rules, chapter 1400 (2023).

2. The rules meet the required standards of Minn. R. 1400.2100, items A and C to H.

3. Pursuant to Minn. Stat. § 326B.106, subd. 4(m) (2024), Department has the statutory authority to adopt these proposed rules using the exempt rulemaking process.

Accordingly, the Judge hereby issues the following:

ORDER

The adopted rules are **APPROVED**.

Dated: January 17, 2025

A handwritten signature in dark ink, appearing to read 'Kristien Butler', written over a horizontal line.

KRISTIEN R. E. BUTLER
Assistant Chief Administrative Law Judge