

364.06 VIOLATIONS; PROCEDURE; REMEDIES.

Subdivision 1. **Public employers.** Any complaints or grievances concerning violations of sections 364.01 to 364.10 by public employers or violations of section 364.021 by public appointing authorities shall be processed and adjudicated in accordance with the procedures set forth in chapter 14, the Administrative Procedure Act.

Subd. 2. **Private employers.** (a) The commissioner of human rights shall investigate violations of section 364.021 by a private employer. If the commissioner finds that a violation has occurred, the commissioner may impose penalties as provided in paragraphs (b) and (c).

(b) For violations that occur before January 1, 2015, the penalties are as follows:

(1) for the first violation, the commissioner shall issue a written warning to the employer that includes a notice regarding the penalties for subsequent violations;

(2) if a first violation is not remedied within 30 days of the issuance of a warning under clause (1), the commissioner may impose up to a \$500 fine; and

(3) subsequent violations before January 1, 2015, are subject to a fine of up to \$500 per violation, not to exceed \$500 in a calendar month.

(c) For violations that occur after December 31, 2014, the penalties are as follows:

(1) for employers that employ ten or fewer persons at a site in this state, the penalty is up to \$100 for each violation, not to exceed \$100 in a calendar month;

(2) for employers that employ 11 to 20 persons at a site in this state, the penalty is up to \$500 for each violation, not to exceed \$500 in a calendar month; and

(3) for employers that employ more than 20 persons at one or more sites in this state, the penalty is up to \$500 for each violation, not to exceed \$2,000 in a calendar month.

(d) The remedies under this subdivision are exclusive. A private employer is not otherwise liable for complying with or failing to comply with section 364.021.

History: 1974 c 298 s 6; 1982 c 424 s 130; 2013 c 61 s 4; 2023 c 52 art 19 s 20