

1.1 moves to amend H.F. No. 16 as follows:

1.2 Page 1, after line 5, insert:

1.3 "Section 1. Minnesota Statutes 2012, section 177.27, subdivision 4, is amended to read:

1.4 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring

1.5 an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031,

1.6 181.032, 181.101, 181.11, 181.12, 181.13, 181.14, 181.145, 181.15, 181.275, subdivision

1.7 2a, 181.531, and 181.79, or with any rule promulgated under section 177.28. The

1.8 commissioner shall issue an order requiring an employer to comply with sections 177.41

1.9 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation

1.10 is repeated if at any time during the two years that preceded the date of violation, the

1.11 commissioner issued an order to the employer for violation of sections 177.41 to 177.435

1.12 and the order is final or the commissioner and the employer have entered into a settlement

1.13 agreement that required the employer to pay back wages that were required by sections

1.14 177.41 to 177.435. The department shall serve the order upon the employer or the

1.15 employer's authorized representative in person or by certified mail at the employer's place

1.16 of business. An employer who wishes to contest the order must file written notice of

1.17 objection to the order with the commissioner within 15 calendar days after being served

1.18 with the order. A contested case proceeding must then be held in accordance with sections

1.19 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer

1.20 fails to file a written notice of objection with the commissioner, the order becomes a

1.21 final order of the commissioner.

1.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

1.23 Sec. 2. Minnesota Statutes 2012, section 181.171, is amended to read:

1.24 **181.171 COURT ACTIONS; PRIVATE PARTY CIVIL ACTIONS.**

2.1 Subdivision 1. **Civil action; damages.** A person may bring a civil action seeking
2.2 redress for violations of sections 181.02, 181.03, 181.031, 181.032, 181.08, 181.09,
2.3 181.10, 181.101, 181.11, 181.12, 181.13, 181.14, 181.145, ~~and~~ 181.15, and 181.531
2.4 directly to district court. An employer who is found to have violated the above sections is
2.5 liable to the aggrieved party for the civil penalties or damages provided for in the section
2.6 violated. An employer who is found to have violated the above sections shall also be
2.7 liable for compensatory damages and other appropriate relief including but not limited
2.8 to injunctive relief.

2.9 Subd. 2. **District court jurisdiction.** An action brought under subdivision 1 may
2.10 be filed in the district court of the county wherein a violation is alleged to have been
2.11 committed, where the respondent resides or has a principal place of business, or any other
2.12 court of competent jurisdiction.

2.13 Subd. 3. **Attorney fees and costs.** In an action brought under subdivision 1, the
2.14 court shall order an employer who is found to have committed a violation to pay to the
2.15 aggrieved party reasonable costs, disbursements, witness fees, and attorney fees.

2.16 Subd. 4. **Employer; definition.** "Employer" means any person having one or more
2.17 employees in Minnesota and includes the state and any political subdivision of the state.
2.18 This definition applies to this section and sections 181.02, 181.03, 181.031, 181.032,
2.19 181.06, 181.063, 181.10, 181.101, 181.13, 181.14, ~~and~~ 181.16, and 181.531.

2.20 **EFFECTIVE DATE.** This section is effective the day following final enactment."

2.21 Renumber the sections in sequence and correct the internal references

2.22 Amend the title accordingly