

OFFICE MEMORANDUM



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DATE: June 29, 2009

TO: Construction Codes and Licensing Stakeholders

FROM: Cindy Valentine, Acting Deputy Commissioner

PHONE: 651-284-5602

SUBJECT: Advisory Task Force on Employee Misclassification

The 2009 legislative session established the Advisory Task Force on Employee Misclassification to advise the commissioner on the development, implementation, and coordination of enforcement activities, including information sharing and joint investigation and prosecution of persons who violate laws under the jurisdiction of the Department of Labor and Industry, Department of Trade and Economic Development and the Department of Revenue, and to advise the commissioner on the development and adoption of necessary legislation, regulations, policies and procedures. The Advisory Task force is required to provide a report to the Legislature summarizing the advice it provided to the Commissioner of Labor and Industry.

The Advisory Task Force on Employee Misclassification consists of the following members:

1. The commissioner or commissioner's designee of the Departments of Labor and Industry, Employment and Economic Development and Revenue
2. The Attorney General or designee
3. A representative appointed by the Minnesota County Attorneys' Association
4. Two members who are members of a labor organization that represents members who perform public or private sector commercial or residential building construction or improvement services
5. One member who is a general contractor or a representative of general contractors that performs public or private sector commercial building construction or improvement services
6. One member who is a general contractor or a representative of general contractors that performs public or private sector residential building construction or improvement services
7. One member who is a subcontractor or a representative of subcontractors that performs public or private sector commercial building construction or improvement services
8. One member who is a subcontractor or a representative of subcontractors that performs public or private sector residential building construction or improvement services
9. Up to three additional members who perform public or private sector commercial or residential building and construction or improvement services including one member who is an independent contractor with a current independent contractor certificate, one who is a limited liability corporation and one member who is an employee.

Please submit nominations for inclusion on this Task Force to Cindy Valentine, Acting Deputy Commissioner, Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul 55155 or cindy.valentine@state.mn.us.

Please submit nominations by July 20, 2009. Membership will be announced by August 10, 2009 with the first meeting likely to be held in September, 2009.

cc: Steve Sviggum, Commissioner
Thomas Joachim, Assistant Commissioner