

13 NCAC 12 .0906 CIVIL PENALTIES

(a) In civil penalty cases, the Commissioner shall notify the employer by certified mail of the following:

- (1) the nature of the violation;
- (2) the amount of the civil penalty; and
- (3) that the civil penalty is final, unless the employer takes exception to the penalty determination as set forth in G.S. 64-36 and Paragraph (b) of this Rule.

(b) An employer may take an exception to a civil penalty determination by filing a written petition for a contested case hearing with the Office of Administrative Hearings (OAH) under Chapter 150B, Article 3 of the North Carolina General Statutes.

(c) An employer who takes exception in accordance with Paragraph (b) of this Rule to a civil penalty determination shall serve a copy of the written petition for a contested case on the Commissioner of Labor at the following address:

N.C. Department of Labor
Attn: Commissioner of Labor/2nd Floor, Labor Building
1101 Mail Service Center
Raleigh, N.C. 27699-1101

*History Note: Authority G.S. 64-37;
Eff. October 1, 2012;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*