

DRAFT RULES



SAINT PAUL
HUMAN RIGHTS & EQUAL
ECONOMIC OPPORTUNITY

City of Saint Paul Rules for Minimum Wage Ordinance

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1. Purpose of the Rules

1.1 These Rules govern the practices of the Department of Human Rights & Equal Employment Opportunity ("Department") in administering the provisions of the City of Saint Paul's Minimum Wage Ordinance, Chapter 224 of Saint Paul Legislative Code ("Ordinance" or "Chapter"). These Rules have been promulgated pursuant to the authority listed in Saint Paul Legislative Code §§ 224.12 and 224.13.

1.2 Nothing in these Rules will be interpreted or enforced in a way that conflicts with the Federal or State Fair Labor Standards Acts.

1.3 *Severability.* These Rules are independent and severable. If any part of these Rules is found to violate any law or found to be invalid or in conflict with the Ordinance, such finding must be limited as narrowly as possible, and all other parts of these Rules must be considered valid and in effect.

1.4 *Liberal construction of rights, narrow construction of exemptions.* Under Saint Paul Legislative Code § 224, the purpose of the Ordinance is to promote the general welfare of the people the City, and the Department has the authority to investigate possible minimum wage violations. Accordingly, these Rules will be liberally construed, with any exceptions or exemptions narrowly construed.

2. Definitions and Clarifications

These Rules incorporate all definitions codified in the Ordinance and use the following defined terms:

2.1 “City Rate” means the minimum wage rate established pursuant to Section 224.03(b) of the Ordinance. By July 1, 2028, all Employers, regardless of size, will be held to the same minimum wage rate, the City rate.

2.2 “Council” means the Saint Paul City Council.

2.3 “Full-Service Restaurant” means a restaurant with seated service.

2.4 “Independent Contractor” means an individual who provides goods or services but is not an employee due to the nature of their work. [See Minnesota Rules, Chapter 5224, Minn. Statutes §§ 181.723 and 176.043.](#)

2.5 “Ordinance” means the Saint Paul Legislative Code of Ordinances, Part II, Title XXIII, Chapter 224, “City Minimum Wage.”

2.6 “Start of Employment” means the day employment activities begin. For example, the “start of employment” can include, but is not limited to, the Employee’s first day of training or performing job duties.

3. Employment in Saint Paul

General Rules about Covered Employees

3.1 The Ordinance covers all Employees, whether full-time, part-time, temporary, or some other designation, who perform work within the geographic boundaries of the City. (See [Saint Paul, Minnesota, Municipal Ordinance §224.03\(a\)](#).)

3.2 Unless specified in an agreement between an Employee and an Employer, time spent traveling to work before the Employee's shift has started and traveling home after the Employee's shift has ended are not covered by this Ordinance. (See [Federal Fair Labor Standards Act](#).)

3.3 Employees are not covered by the Ordinance for hours worked outside the geographic boundaries of the City.

Employees Working from Home

3.4 Employees working from home (or otherwise telecommuting) are covered by the Ordinance if the Employee is working within the geographic boundaries of the City. (See [Saint Paul, Minnesota, Municipal Ordinance §224.03\(b\)](#).)

Employees Working Periodically in Or Traveling Through Saint Paul

3.5 Employees who do not regularly work in the City are covered by the Ordinance for hours worked within the geographic boundaries of the City if the Employee, over the course of one (1) week, performs at least two (2) hours of work for the Employer within the geographic boundaries of the City. (See [Saint Paul, Minnesota, Municipal Ordinance §224.03\(b\)](#).)

3.6 Employees traveling through the City and only making incidental stops, such as changing a flat tire or stopping for gasoline, are not covered by the Ordinance in such situations.

3.7 An Employer may make a reasonable, good faith estimate of an Employee's time spent working in the City consistent with the Employer's usual payroll tracking practices. Documentation of this estimate may include, but is not limited to, dispatch logs, GPS tracking, Employee logs, delivery addresses, estimated travel times, or historical averages.

3.8 Employees who attend a convention, conference, training, etc. in the City but perform no other work for their Employer for at least two (2) hours in a week are not covered.

On-Call Employees

3.9 An Employee required to remain on the Employer's premises or so close to the premises that the Employee cannot use the time effectively for the Employee's own purposes, is working while on call and must at least be paid the applicable rate under the City's Minimum Wage Ordinance. (See Minn. R. §5200.0120, sub 2.)

3.10 An Employee who is on-call and not required to remain on or near the Employer's premises while on-call but is required to leave word at the Employee's home and/or with company officials as to where they may be reached, is not performing work. (See Minn. R. §5200.0120, sub 2.)

Staffing Agencies

3.11 An Employee placed by a staffing agency is an Employee of the staffing agency for purposes of the Ordinance, unless there is an agreement providing otherwise.

Independent Contractors

3.12 Independent Contractors are not covered by the Ordinance. (See Saint Paul, Minnesota, Municipal Ordinance §224.02 definition of *Employee*.)

3.13 Individuals can sometimes be incorrectly classified as Independent Contractors instead of as Employees. It is the Employer's responsibility to classify their workers correctly.

3.14 Federal and State guidance can help determine whether a worker is an Independent Contractor or an Employee. An Employer or Employee can access the Independent Contractors test under the Federal Fair Labor Standards Act.

<https://www.dol.gov/agencies/whd/flsa/misclassification>
<https://www.dli.mn.gov/misclassification>

Salaried and Commission Based Employees

3.15 For Employees paid on commission, the base rate of pay is the same rate that the Employee receives per hour of work. In no case shall the Employee's base rate be less than that provided under the Ordinance. (See Saint Paul, Minnesota, Municipal Ordinance §224.02.)

3.16 To calculate the base rate for salaried or 100% commission paid Employees, use the formula below:

1. Take the Employee's total annual salary.
 - a. For Employees who earn 100% commission or are salaried, the total annual salary is the total wages paid out to the Employee over a regular and consecutive 12-month period.
 - b. For Employees who earn 100% commission or are salaried, add together all the monthly earned wages since the Start of Employment. Divide the total wages earned by the number of months worked to get an average monthly wage. Multiply that average monthly wage by 12 to get the annual salary.
2. Divide the annual salary amount by 52 weeks worked to determine the Employee's weekly wage amount.
3. Divide the weekly wage amount by the number of hours in the Employee's normal or average work week to determine the Employee's hourly base rate.

Example: John earns \$80,000 for an annual salary and is not paid by the hour. On average, John works 40 hours per week. His weekly salary is \$1,538.46 ($\$80,000 / 52 = \$1,538.46$). If John's normal work week is 40 hours, John's standard hourly rate is \$38.46 ($\$1,538.46 / 40 = \38.46).

3.17 For Employees whose rate of pay fluctuates within a single job title depending on what duties they are performing for the Employer, the base rate is the rate received per hour of work for the Employee. In no case shall the Employee's base rate be less than that provided under the Ordinance. In no case shall the Employee's hourly rate be less than that provided under the Ordinance. ([See Saint Paul, Minnesota, Municipal Ordinance §224.04.](#))

Piece Rate Compensation

3.18 If an Employee is paid on a piece rate basis, do the following to calculate the Employee's hourly rate of pay:

1. Add together the Employee's total earnings for the most recent workweek. This is the Employee's total weekly earnings.
2. Divide the total weekly earnings by the number of hours worked during the most recent workweek. This is the Employee's hourly rate.

4. City Minimum Wage

- 4.1 Employers must pay an Employee the City's minimum wage rate based on size of business or the state minimum wage rate, whichever is higher. ([See Saint Paul, Minnesota, Municipal Ordinance §224.04.](#))
- 4.2 Minimum wage rates change every year in the City of Saint Paul. Employers are responsible for tracking increases and applying them to their Employees. ([See Saint Paul, Minnesota, Municipal Ordinance §224.04.](#))
- 4.3 By July 1, 2028, all Employers, regardless of size, will be held to the same minimum wage rate, the City rate. ([See Saint Paul, Minnesota, Municipal Ordinance §224.04.](#))
- 4.4 Any Employer with 101 or more Employees must pay the City rate. ([See Saint Paul, Minnesota, Municipal Ordinance §224.04\(b\).](#))
- 4.5 Small businesses have between six (6) and 100 Employees. ([See Saint Paul, Minnesota, Municipal Ordinance §224.02 definition of *Small business*.](#))
- 4.6 Micro businesses have five (5) or fewer Employees. ([See Saint Paul, Minnesota, Municipal Ordinance §224.02 definition of *Micro business*.](#))

5. Exceptions and Adjustments

- 5.1 Gratuities and other benefits may not be applied to an Employee's minimum wage rate. ([See Saint Paul, Minnesota, Municipal Ordinance §224.05\(a\).](#))
- 5.2 *City-Approved Youth Training or Apprenticeship Programs* may pay an adjusted minimum wage. If employers employ youth workers twenty (20) years old in a city-approved youth-focused training or apprenticeship program, the minimum wage rate cannot be less than eighty-five (85) percent of the city minimum wage for small employers, rounded up to the nearest nickel or the state minimum wage. ([See Saint Paul, Minnesota, Municipal Ordinance §224.05\(b\).](#)) The City-Approved Youth Training Wage schedule is:
- 5.2.1 There are two (2) ways to qualify as a City-Approved Youth Training or Apprenticeship Program:

1. Youth Training Programs that receive local/state/federal grants or direct appropriations for youth workforce development qualified funding sources will automatically be included in the approved programs.
2. Youth Training Programs that do not have qualified funding sources must include the following program components:
 - A. Work Readiness Training. Work Readiness Training means training for a minimum of six (6) hours in Communication Skills, Teamwork/Collaboration, and Time Management. Work Readiness Training must also include training for at least two (2) of the following components:
 - i. Job Basics
 - ii. Work Ethic
 - iii. Problem Solving.
 - B. Youth Training Programs without qualified funding sources must include at least one (1) of the following program components:
 - i. The youth employee has at least one (1) professional development opportunity in the first 90 days of employment.
 - ii. The youth employee has at least one (1) job shadowing opportunity in the first 90 days of employment.
 - iii. The youth employee earns academic credit through the training opportunity.
 - C. Supervisory Requirements: To qualify as a Youth Training Program without qualified funding, supervisors are required to complete at least two (2) hours of training in Cultural Competency, Adolescent Development, Mentorship, and how to create an effective project-based learning plan.
 - D. Employees must work a minimum of 15 hours a week for at least six (6) weeks if not enrolled in school (summer or not enrolled) or a minimum of ten (10) hours a week when actively enrolled in classes.
 - E. Employees must have weekly check-ins, as well as have an active project-based learning plan developed together with their supervisor.

5.3 *90-Day Youth Wage* Employers may pay youth ages 14 – 17 who are not in a City-Approved Youth Training or Apprenticeship Program a lesser wage for the first 90 days of employment only. This minimum wage rate cannot be less than eighty-five (85) percent of the city minimum wage for small employers, rounded up to the nearest nickel or the state minimum wage. After 90 days of employment, the youth must be paid the minimum wage

rate that applies to the business size. (See [Saint Paul, Minnesota, Municipal Ordinance §224.05\(c\)](#).)

5.4 Youth exception rate is as follows:

Date Effective	Youth Training Wage
July 1, 2020	\$8.50
July 1, 2021	\$9.35
July 1, 2022	\$10.20
July 1, 2023	\$11.05
July 1, 2024	\$11.90
July 1, 2025	\$12.75
July 1, 2026	\$13.95

6. Determination of Business Size

6.1 Employers must calculate their applicable business size annually, effective January 1. (See [Saint Paul, Minnesota, Municipal Ordinance §224.06\(a\)](#).)

6.2 An Employer's business size for the current calendar year is based upon the average number of Employees per week for the previous calendar year. (See [Saint Paul, Minnesota, Municipal Ordinance §224.06\(a\)](#).)

6.3 New businesses must calculate their size from the average number of employees per week during the first 90-days after the first employee started working. (See [Saint Paul, Minnesota, Municipal Ordinance §224.06\(b\)](#).)

6.3.1 For the 90-day period before the business calculation is in effect, new businesses must make a reasonable, good faith effort to estimate their projected number of employees and pay the applicable minimum wage. (See [Saint Paul, Minnesota, Municipal Ordinance §224.06\(b\)](#).)

6.4 Employers must count all employees whether employed full-time, part-time, jointly with another employer, or on temporary basis, including employees not located or working within the geographic boundaries of Saint Paul. (See [Saint Paul, Minnesota, Municipal Ordinance §224.06\(c\)](#).)

6.5 Integrated enterprises shall be counted as one (1) Employer. The Department will determine the existence of an integrated enterprise by assessing the degree of control

exercised by one (1) entity over the operation of another entity. The factors in this assessment include, but are not limited to:

1. Degree of interrelation between the operations;
2. Degree to which the entities share common management;
3. Centralized control of labor relations;
4. Degree of common ownership or financial control over the entities.

6.6 If the Department determines an integrated enterprise exists, the integrated enterprise or individual Employers deemed integrated enterprises, will be subject to the business size that equals the total number of Employees in both entities.

6.7 If an Employer disagrees with this classification, the burden is on the Employer to produce documentation to establish the degree of control is not great enough to warrant consideration as an integrated enterprise. The Department will examine the factors for determining an integrated enterprise listed above.

6.8 Business size for a franchise is based on the total number of Employees at all franchise locations owned and operated by a single franchisee. (See [Minn. R. §80C.01](#) and [\(See Saint Paul, Minnesota, Municipal Ordinance §224.06\(d\).\)](#))

6.9 A franchise with more than two (2) Employers is considered an integrated entity for the purposes of calculating business size.

6.10 A person performing work for a contracting Employer that was hired from a third-party staffing or temporary employment agency is an Employee of the third-party staffing or temporary employment agency for purposes of determining who is responsible for paying minimum wage to the Employee.

7. Employee Wage Notice

7.1 An Employer must provide each Employee with an Employee Wage Notice by the Start of Employment. This notice must include all the information required in this Chapter. (See [Saint Paul, Minnesota, Municipal Ordinance §224.07\(a\).](#))

7.2 The Employer must keep a record that is signed and dated by each Employee confirming that they have received the Employee Wage Notice before the Start of Employment. (See [Saint Paul, Minnesota, Municipal Ordinance §224.07\(c\).](#))

7.3 Anytime an Employer changes information on the Employee Wage Notice, the Employer must notify all Employees before the change takes place. The Employer must keep a record signed and dated by each Employee confirming that they received the change. (See [Saint Paul, Minnesota, Municipal Ordinance §224.07\(d\)](#).)

8. Required Statement of Earnings

8.1 At the end of each pay period, an Employer must provide each Employee with a statement of earnings covering that pay period. The earnings statement may be provided in writing or by electronic means. (See [Saint Paul, Minnesota, Municipal Ordinance §224.08\(a\)](#).)

8.2 The earnings statement must include all the information required in this Chapter. (See [Saint Paul, Minnesota, Municipal Ordinance §224.08\(b\)](#).)

8.3 Where an Employee chooses to receive the earnings statement in writing, the Employer must comply with that request on an ongoing basis. However, the Employer may choose how best to comply with the request, such as sending the statement of earnings via U.S. Mail, handing out the statement of earnings to the Employee on a certain day and time, etc. (See [Saint Paul, Minnesota, Municipal Ordinance §224.08\(c\)](#).)

9. Employer Records

9.1 Employer records must include all the information required in this Chapter. (See [Saint Paul, Minnesota, Municipal Ordinance §224.09\(a\)](#).)

Access to Records

9.2 Employers must, at a minimum, maintain all records and information required in this Chapter while an employee is employed and for a three (3) year period following termination and provide such information to the Department upon request. (See [Saint Paul, Minnesota, Municipal Ordinance §224.09\(b\),\(d\)](#).)

9.3 Employers must keep records for three (3) years relating to minimum wage adjustments for youth wage or youth training programs (e.g. program components, funding sources, and employee ages with corresponding pay rates).

9.4 If an Employer refuses to provide the Department access to records to investigate potential violations or monitor compliance with the requirements of the Chapter, the

Department may seek an administrative search warrant for such records. (See Saint Paul, Minnesota, Municipal Ordinance §224.09(d),(f).)

Failure to Provide Access to or Maintain Records

9.5 Once the Department notifies an Employer that an investigation under the Chapter has begun, the Employer may not destroy any records until the Employer is notified by the Department that the investigation has ended. (See Saint Paul, Minnesota, Municipal Ordinance §224.09.)

9.6 An Employer's failure to maintain, retain, or produce a full response to a request for records, or any other information that is reasonably related to the investigation following the execution of an administrative search warrant for such records shall create a presumption that the Employer has violated this Chapter absent clear and convincing evidence otherwise. (See Saint Paul, Minnesota, Municipal Ordinance §224.09(g) and §224.13(b)(2).)

9.7 When an Employer does not provide or maintain adequate records as mandated by the Ordinance, and where the Department orders backpay, the Department may make determinations of backpay wages based on available evidence. (See Saint Paul, Minnesota, Municipal Ordinance §224.09(h).)

9.7.1 Available evidence shall include, but is not limited to contracts, documentation and testimony provided by Employees, documentation provided by the Employer, public documentation posted by the Employer, documentation provided by third-parties, wage estimates by the U.S. Bureau of Labor Statistics and other federal or state agencies.

10. Notice and Posting

10.1 The Department has available a standard Workplace Notice Poster for Employers in five (5) different languages. (See Saint Paul, Minnesota, Municipal Ordinance §224.10(a).)

10.2 An Employer must post the standard Workplace Notice Poster in a noticeable place, such as in a breakroom, by a punch clock, or at some common work meeting place where it can be seen by Employees. Employers may also put an electronic copy in an internet or electronic platform to satisfy physical posting requirements. The Workplace Notice Poster must be in English, and the primary language of Employees as identified by the Employees. (See Saint Paul, Minnesota, Municipal Ordinance §224.10(b).)

10.3 Employers must notify their Employees every year about their rights under this Chapter. (See [Saint Paul, Minnesota, Municipal Ordinance §224.10\(c\).](#))

10.4 An Employer that provides an Employee handbook to its Employees must include notice of Employee rights under the Ordinance in the handbook. Employers can satisfy this requirement by including the Department-made notices in their Employee handbook. (See [Saint Paul, Minnesota, Municipal Ordinance §224A.10\(d\).](#))

11. Employer Succession

11.1 When a different Employer succeeds or takes the place of an existing Employer, the original Employer remains liable for all wages owed to Employees up to the time of transfer of the business to the successor Employer. (See [Saint Paul, Minnesota, Municipal Ordinance §224.11\(a\).](#))

11.2 If there is an open minimum wage investigation with the Department, the original Employer must notify the Department 30 days before a sale or transfer of the business. (See [Saint Paul, Minnesota, Municipal Ordinance §224.11\(b\).](#))

11.3 A successor Employer must provide Employees with an Employee Wage Notice at the time of sale or acquisition, or as soon as practicable, which must comply with the Ordinance. (See [Saint Paul, Minnesota, Municipal Ordinance §224.11\(c\).](#))

12. Implementation

12.1 The authority of the Director and Department to implement, administer, and enforce this Chapter is clearly established and outlined in Saint Paul Legislative Code § 224. (See [Saint Paul, Minnesota, Municipal Ordinance §224.12\(a-b\).](#))

12.2 The Department will develop and implement culturally specific outreach to educate Employees and Employers about their rights and obligations under this Chapter. Upon the request of Employers or Employees and at times agreed upon by the Department, the Department will provide educational presentations to Employees and Employers on the Ordinance. (See [Saint Paul, Minnesota, Municipal Ordinance §224.12\(d\).](#))

13. Investigation and Enforcement

Time Limitations

13.1 Any person alleging a violation of the Ordinance has the right to file a complaint with the Department within three (3) years of the alleged violation. ([See Saint Paul, Minnesota, Municipal Ordinance §224.13\(a\).](#))

Data

13.2 Per [City of Saint Paul Administrative Code § 11.03\(d\)](#) the Department will only reveal complainant information as required by law. The Department will, to the extent practicable, notify complainants that the Department will be disclosing their identity prior to such disclosure. The Minnesota Government Data Practices Act governs the data provided to the Department.

Investigation Process

13.3 The Department may investigate and resolve complaints. ([See Saint Paul, Minnesota, Municipal Ordinance §224.13\(b\).](#))

13.4 The Department begins an investigation when a complaint is received by sending a Notice of Investigation to the Employer that sets forth the allegations and the pertinent facts. ([See Saint Paul, Minnesota, Municipal Ordinance §224.13\(b\)\(1\).](#))

13.5 The Department may amend and resend the Notice of Investigation to the Employer at any point in the investigation.

13.6 Within seven (7) days of receiving a Notice of Investigation, the Employer must post a form in a physical or electronic format to alert Employees of the investigation. The form will be sent to the Employer by the Department along with the Notice of Investigation. The form must remain posted until the case is closed and the Department confirms the Employer is in compliance. The Employer must send a photo of where the notice has been posted to the Department within seven (7) days of posting. ([See Saint Paul, Minnesota, Municipal Ordinance §224.13\(b\)\(1\).](#))

13.7 The Employer can choose to provide a written response, either via U.S. Mail, fax or e-mail to specify their position. If the Employer admits to violating the Ordinance, they must include in their position how they will remedy the violation. If the Employer denies the allegations, they must specifically state how the Employer is in compliance with the Ordinance. ([See Saint Paul, Minnesota, Municipal Ordinance §224.13\(b\)\(4\).](#))

13.8 The Employer may request additional time to submit the written response to the Notice of Investigation or any other request made by the Department. Such a request should include the amount of time requested and the reason that the Employer cannot respond within the original time allowed. The Department's grant or denial of this request is not appealable.

13.9 The Employer and the Department may enter an informal mediation process at any time during the investigation. This process is an opportunity for the parties to negotiate a settlement and resolve the matter. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(b\)\(6\).](#))

13.10 If a pre-determination settlement is not reached, the Department will continue the investigation and issue a Determination of Violation or Determination of No Violation based on a preponderance of the evidence. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(c\).](#))

[Determination of Violation or No Violation](#)

13.11 The Determination will be sent to the complainant who filed the complaint and the Employer via either U.S. Mail, fax, or e-mail. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(c\) and §224.13\(e\).](#))

13.12 If the Department issues a Determination of No Violation, the complainant may ask for a reconsideration within 10 days or bring a civil action in district court within 45 days. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(c\) and §224.13\(d\).](#))

13.13 If the Department issues a Determination of Violation and the Employer denies the allegation, they have the right to present evidence to the City Council or a Hearing Examiner. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(e\).](#))

13.13.1 If the Employer chooses to present evidence to the Hearing Officer, the Hearing Examiner will present the written findings to the City Council, who will uphold or overturn the finding based on the evidence in the record. There is no opportunity for the Employer to submit new evidence at this point. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(f\) and §224.13\(g\).](#))

[Remedies and Relief](#)

13.14 The Employer and the Employee may, with the approval of the Department, agree to a resolution or remedy, such as financial compensation. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(i\).](#))

13.15 The Department may order financial compensation and public interest terms. Public interest terms include, but are not limited to, policy corrections, Employee training, and compliance reporting. (See [Saint Paul, Minnesota, Municipal Ordinance §224.13\(i\)](#).)

13.16 Reasonable interest on ordered financial compensation begins to accrue from the date of a Determination of Violation until all ordered financial compensation is paid. Reasonable interest is the annual interest rate set by the state court administrator pursuant to Minnesota Statutes § 549.09(c)(1).

14. Retaliation Prohibited

14.1 Any person who complains to or communicates with the Department regarding minimum wage violations either verbally or in writing is protected from retaliation under this Chapter regardless of whether they reference the Chapter or not. (See [Saint Paul, Minnesota, Municipal Ordinance §224.14](#).)

14.2 Employers may not retaliate against any Employee for exercising any rights under the Ordinance. Employers also may not interfere with Employee rights under the Ordinance. (See [Saint Paul, Minnesota, Municipal Ordinance §224.14](#).)

Examples of retaliation include, but are not limited to, the following: termination, suspension, revocation of benefits, demotion, transfer to a different location, job reassignment, pay decrease, loss of hours, or threats to report a person to immigration authorities.

14.3 Employees may file a lawsuit in district court if they allege that their Employer interfered with their rights as outlined in the Ordinance. An Employee or other person who has reported a violation of this Chapter may:

14.3.1 Bring a civil action in district court within 45 days after receipt of a notice of Determination of No Violation of this Chapter. Notice is presumed to be five (5) days from the date of service by U.S. Mail of the written notice. (See [Saint Paul, Minnesota, Municipal Ordinance §224.14\(c\)](#).)

14.3.2 Bring a civil action in district court within 45 days upon notice that the Director has reaffirmed a Determination of No Violation of this Chapter if the complainant requested reconsideration. Notice is presumed to be five (5) days from the date of service by U.S. Mail of the written notice. (See [Saint Paul, Minnesota, Municipal Ordinance §224.14\(c\)](#).)

14.4 It is a rebuttable presumption of retaliation if an Employer or any of their other employees disciplines, discharges, penalizes, interferes with, threatens, restrains, coerces, or otherwise retaliates or discriminates against an Employee within 90 of inquiring about or filing a complaint with the Department. (See [Saint Paul, Minnesota, Municipal Ordinance §224.14\(d\)](#).)