

92.22 Director to enforce — civil penalty — judicial review.

1. The director shall enforce [this chapter](#). An employer who violates [this chapter](#) or the rules adopted pursuant to [this chapter](#) is subject to a civil penalty of not more than ten thousand dollars for each violation. The director may waive or reduce a civil penalty based on evidence the director may obtain. The director shall provide a fifteen-day grace period before imposing a civil penalty.

2. The director shall notify the employer of a proposed civil penalty by service in the same manner as an original notice or by certified mail. If, within fifteen working days from the receipt of the notice, the employer fails to file a notice of contest in accordance with rules adopted by the director pursuant to [chapter 17A](#), the penalty, as proposed, shall be deemed final agency action for purposes of judicial review.

3. The director shall notify the department of revenue upon final agency action regarding the assessment of a penalty against an employer. Interest shall be calculated from the date of final agency action.

4. Judicial review of final agency action pursuant to [this section](#) may be sought in accordance with the terms of [section 17A.19](#). If no petition for judicial review is filed within sixty days after service of the final agency action of the director, the director's findings of fact and final agency action shall be conclusive in connection with any petition for enforcement which is filed by the director after the expiration of the sixty-day period. In any such case, the clerk of court, unless otherwise ordered by the court, shall forthwith enter a decree enforcing the final agency action and shall transmit a copy of the decree to the director and the employer named in the petition.

5. Any penalties recovered pursuant to [this section](#) shall be remitted by the director to the treasurer of state for deposit in the general fund of the state.

6. Mayors and police officers, sheriffs, school superintendents, and school truant and attendance officers, within their several jurisdictions, shall cooperate in the enforcement of [this chapter](#) and furnish the director and the director's designees with all information coming to their knowledge regarding violations of [this chapter](#). All such officers and any person authorized in writing by a court of record shall have the authority to enter, for the purpose of investigation, any of the establishments and places mentioned in [this chapter](#) and to freely question any person therein as to any violations of [this chapter](#).

7. County attorneys shall investigate all complaints made to them of violations of [this chapter](#), and prosecute all such cases of violation within their respective counties.

[S13, §2477-f; SS15, §2477-a1, -d; C24, 27, 31, 35, 39, §1535, 1541; C46, 50, 54, 58, 62, 66, §92.10, 92.16; C71, 73, 75, 77, 79, 81, §92.22]

[87 Acts, ch 111, §8; 2009 Acts, ch 49, §6; 2023 Acts, ch 19, §1860; 2023 Acts, ch 92, §18](#)

Referred to in [§331.653, 331.756\(17\)](#)

See Code editor's note on simple harmonization at the beginning of this Code volume
Section amended