

**486—4.33(10A,88) Employer contests.****4.33(1) Complaint.**

*a.* The commissioner of labor shall file a complaint with the employment appeal board no later than 20 days after receipt of notice of contest.

*b.* The complaint shall set forth all alleged violations and proposed penalties which are contested, stating with particularity:

(1) The basis for jurisdiction;

(2) The time, location, place, and circumstances of each alleged violation; and

(3) The considerations upon which the period for abatement and the proposed penalty on each such alleged violation are based.

*c.* Where the commissioner of labor seeks in the complaint to amend the citation or proposed penalty, the commissioner of labor shall set forth the reasons for amendment and shall state with particularity the change sought.

**4.33(2) Answer.**

*a.* Within 15 days after service of the complaint, the party against whom the complaint was issued shall file an answer with the employment appeal board.

*b.* The answer shall contain a short and plain statement denying those allegations in the complaint which the party intends to contest.