**Section 240.210 Contents and Filing of a Complaint**

a) A complaint shall be filed on a form to be supplied by the Department. Each complaint shall contain the following information:

1) the full name and address of the complainant;

2) the full name and address of the contractor;

3) a statement or reflection of the complainant's basis of knowledge of the essential facts constituting the alleged violation, including the dates and locations of the alleged violation and the nature of the contractor's business;

4) the complainant's signature, including date of signing; and

5) a statement as to any other action, civil or criminal, instituted by the complainant or that the complainant has knowledge of, in any other forum based on the same violation as alleged in the complaint, together with a statement as to the status or disposition of the other action.

b) Complaints must be filed within 365 days from the date of the alleged violation. If another State or federal agency is investigating a similar complaint regarding misclassification, the filing period with the Department is tolled until that agency renders a decision in the matter. A complaint is deemed timely if filed within 365 days after the date of that agency's decision.

c) Any complaint that fails to meet the requirements set forth in subsection (a) may be accepted by the Department if it otherwise contains the information determined by the Department to be necessary for a proper investigation and review of the alleged violation contained in the complaint.

d) All complaints will be considered filed upon receipt.

(Source: Amended at 38 Ill. Reg. 18500, effective August 21, 2014)