**Section 320.875 Section 11 Investigations**

a) Prior to the suspension or revocation of an Equal Pay Registration Certificate, the Department shall initiate an investigation under Section 11(e) of the Act to determine whether reasonable cause exists to suspend or revoke to Equal Pay Registration Certificate. Such investigations shall be initiated upon the Department's reasonable belief that a business's Equal Pay Registration Certificate may be suspended or revoked for any of the reasons listed in Section 320.870(a) through (c).

b) The *Department is authorized to* conductaudits, *interview workers, administer oaths, take or cause to be taken the depositions of witnesses, and require by subpoena the attendance and testimony of witnesses, and the production of personnel and compensation information, and all books, records, and other evidence relative to the matter under investigation. A subpoena issued under this Section shall be signed and issued by the Director.* [820 ILCS 112/11]

c) Within 30 business days after starting the investigation, the Department shall provide the business with a written notice of investigation stating the reason for the investigation under Section 320.870(a) through (c) and identifying the data in the application that merits the investigation. The notice of investigation shall provide the business with an opportunity to respond to the notice and present any information the business wishes the Department to consider in its investigation. The business must submit its response to the Department within 30 business days after receipt of the notice of investigation.

d) If a business refuses to cooperate during the investigation, the Director may either make a finding of reasonable cause and suspend or revoke the business's Equal Pay Registration Certificate or issue subpoenas to compel the attendance of witnesses or the production of documents.

e) The Director may, upon request or in the Director's discretion, withhold any witness statement or the identity of any witness as confidential.

(Source: Added at 47 Ill. Reg. 155, effective December 22, 2022)