**Section 350.130 Inspection not Warranted; Informal Review**

a) If the Regional Enforcement Manager determines that an inspection is not warranted because there are no reasonable grounds to believe that a violation or danger exists with respect to a complaint under Section 350.120, the REM shall notify the complaining party in writing of that determination. The complaining party may obtain review of the determination by submitting a written statement of position to the Division Manager and, at the same time, providing the employer with a copy of the statement by certified mail. The employer may submit an opposing written statement of position with the Division Manager and, at the same time, provide the complaining party with a copy of such statement by certified mail. Upon the request of the complaining party or the employer, the Division Manager has discretion to hold an informal conference in which the complaining party and the employer may orally present their views. After considering all written and oral views presented, the Division Manager shall affirm, modify or reverse the determination of the REM and furnish the complaining party and the employer written notification of this decision and the reasons for the decision. The decision of the Division Manager shall be final and not subject to further review.

b) If the REM determines that an inspection is not warranted because the requirements of Section 350.120(a) have not been met, the REM shall notify the complaining party in writing of that determination. The determination shall be without prejudice to the filing of a new complaint meeting the requirements of Section 350.120(a).

(Source: Amended at 46 Ill. Reg. 3518, effective February 15, 2022)