

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 123:1-34-08

**Rule Type:** Amendment

**Rule Title/Tagline:** Olympic competition leave.

**Agency Name:** Department of Administrative Services

**Division:** Division of Human Resources

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#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 9/15/2023
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 124.09
5. What statute(s) does the rule implement or amplify? 9.46, 124.09
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

Mandatory five year rule review.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Contains the procedures, parameters, and protocols for administering Olympic competition leave. Also removal of regulatory rule restrictions.

9. Does the rule incorporate material by reference? No
10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

11. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

\$0.00

Not Applicable.

13. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

**III. Common Sense Initiative (CSI) Questions**

17. Was this rule filed with the Common Sense Initiative Office? No
18. Does this rule have an adverse impact on business? No
- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
  - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
  - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
  - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes
- A. How many new regulatory restrictions do you propose adding to this rule? 0
  - B. How many existing regulatory restrictions do you propose removing from this rule? 14

Any employee in the service of the state shall be granted olympic competition leave from employment without loss of pay to participate in olympic competition sanctioned by the United States olympic committee.

.... Participation in olympic competition shall include duties as a coach, judge, official, or athlete.

(A) Length of leave. Olympic competition leave shall not exceed the aggregate time...

(A)... required for reasonable precompetition training at the competition site, actual participation in the competition, and reasonable travel time to and from the competition site.

(B) Compensation. Pay for each week of olympic competition leave shall not exceed the amount the employee would receive for the employee's standard work week as defined in section 124.18 of the Revised Code.

(B).... The employee shall not be paid for any day spent in olympic competition for which the employee would not ordinarily receive pay as part of the employee's regular employment.

(C) Additional leave. An employee, having been granted olympic competition leave, shall be granted personal leave of absence without pay or, if entitled to vacation leave and if such leave is requested,...

(C)... shall be granted vacation leave in order that the employee may remain at the competition site until the close of the competition.

(C).... If the employee does not indicate that accrued vacation leave is to be used, or if the employee has not accrued any vacation leave the employee shall receive leave of absence without pay for this time.

(D) Written request. To request olympic competition leave, the employee must submit a request in writing to the appointing authority.

(D).... This request must be submitted thirty calendar days prior to the effective date of the leave being requested

(D).... If the employee is selected less than thirty calendar days prior to the effective date of the requested leave, the employee shall make the request for olympic competition leave within one week of such selection.

(D).... The request shall include:

(D)(3) A list of the employee's competition events together with dates of actual competition. If the event is one in which contestants compete until eliminated, making it impossible to precisely indicate all days of actual competition prior to taking the leave, the employee shall submit a list of the days on which he actually competed upon return from the competition.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable