

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 123:1-76-12

Rule Type: No Change

Rule Title/Tagline: Disciplinary action - federal drug-free workplace act of 1988.

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?** 1/18/2022 and 01/15/2027
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?** 124.09, 124.34
6. **What are the reasons for proposing the rule?**

Mandatory five year rule review.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Requires employees of agencies that receive federal grant funds to report to their agency head within five days any conviction of any federal or state criminal drug statute associated with the workplace. The agency is required to report such convictions to the federal grant agency within 10 days of receiving notice. Failure of an employee to give the notice subjects the employee to discipline, up to an including

removal. Any action taken by the agency must be taken within 30 days of any agency receiving notice of the employee's conviction.

- 8. **Does the rule incorporate material by reference? No**
- 9. **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

- 10. **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

- 11. **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.

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

Not Applicable.

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

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

- 15. **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

16. Was this rule filed with the Common Sense Initiative Office? No

17. 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**