

4112-3-04

**Reconsideration by the commission.**

(A) Procedure for applying for reconsideration. Any party may apply to the commission for reconsideration of a determination of probable cause or any final commission determination of a preliminary investigation. The application must be in writing, state specifically the grounds on which it is based, and be filed, along with all supporting materials, with the commission at its central office compliance department in Columbus within ten days from the date of service of the notice of determination. The commission shall serve notice of the application for reconsideration on all other parties to the matter in which the application for reconsideration is filed. Parties may file for reconsideration by facsimile, by mail, or by electronic mail.

(B) Determination of application for reconsideration.

The commission may, in its discretion, accept or reject an application for reconsideration.

(1) If the commission rejects an application for reconsideration, it shall record its action accordingly and shall notify the parties.

(2) If the commission accepts an application for reconsideration, it shall make a determination and shall notify the parties. The commission may, in its discretion, hear one or more of the parties.

(C) Reconsideration by motion of the commission. The commission may, upon its own motion, reconsider any determination. If the commission reconsiders a determination on its own motion, it shall record its action accordingly and notify the parties.

(D) If the commisison sets aside a final order of a preliminary investigation, the final order is vacted and the charge is pending until the commission issues another preliminary investigation final order or issues a formal complaint.

Effective:

Five Year Review (FYR) Dates: 10/12/2024

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 4112.04  
Rule Amplifies: 4112.04, 4112.05, 4112.051, 4112.052  
Prior Effective Dates: 11/04/1971, 11/15/1977, 12/23/1979, 07/12/1989,  
07/01/1994, 08/10/1997, 01/11/1998, 10/17/2002,  
10/21/2013, 10/12/2019