Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 4112-3-15

Rule Type: Amendment

Rule Title/Tagline: Application for bona fide occupational qualification.

Agency Name: Ohio Civil Rights Commission

Division:

Address: 161 S. High St. Suite 205 Akron OH 44308

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I.   <u>Rule Summary</u>

1.   **Is this a five year rule review?** No

     A.   **What is the rule's five year review date?** 10/12/2024

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?** 4112.04

5.   **What statute(s) does the rule implement or amplify?** 4112.04, 4112.05, 4112.051

6.   **What are the reasons for proposing the rule?**

     Rule contains procedure for applying for a BFOQ. The change was necessary to correct the process involved when a BFOQ is to go to a hearing.

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

     Rule contains procedure for applying for a BFOQ. The change was necessary to correct the process involved when a BFOQ is to go to a hearing. The struck sentence indicated a BFOQ before an Administrative Law Judge is to follow 4112-3-07. However, that rule

involves a adversarial hearing process and a BFOQ is an application. The adversarial hearing process does not apply to an application recommendation process.

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.

     Not Applicable

     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

    Not Applicable

    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

    Not Applicable

    C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** No

    Not Applicable

    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

    Not Applicable

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95?** No

    A. **How many new regulatory restrictions do you propose adding to this rule?**

    Not Applicable

    B. **How many existing regulatory restrictions do you propose removing from this rule?**

    Not Applicable

    C. **If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

    Not Applicable