

4167-14-01

Contests of citations.

(A) Any contest of a citation must be ~~postmarked-sent~~ within fourteen calendar days of the receipt of the citation and be mailed or emailed to the superintendent at the ~~superintendent's official address~~ or email address provided on the citation.

(1) A public employer to whom a citation has been issued may contest all, or any part of, the citation.

(2) ~~Any~~ The public employer, or any public employee or public employee representative, may contest the time period fixed in the citation for the abatement of a violation.

(3) The postmark date, or the date the email was sent, determines whether the contest of a citation is timely filed.

(B) ~~The~~ Any contest ~~for an adjudication hearing~~ of a citation must include:

(1) By the public employer, the factual or legal basis for ~~contesting each~~ any contested provision of the act, standard, regulation, rule, or order issued by the superintendent.

(2) By the public employer, public employee, or public employee representative, evidence that any proposed abatement date as a result of the citation is unreasonable.

Effective:

Five Year Review (FYR) Dates: 11/29/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121, 4167.02, 4167.07
Rule Amplifies: 4167.02
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