

4167-7-01

Variances from Ohio public employment risk reduction standards.

(A) ~~Pre-application process.~~ For purposes of this rule, the term “variance” refers to a temporary variance or a variance from a standard or provision as contained in section 4167.09 of the Revised Code.

~~Any public employer or group of public employers may request that the superintendent review a variance proposal to determine if the variance process is the appropriate action to pursue by the public employer.~~

~~(1) The fee for the pre-application review is one hundred dollars.~~

~~(2) The pre-application fee will be credited toward the application fee for the variance if, upon review, the superintendent determines that the variance process is appropriate.~~

~~(3) A public employer's pre-application for a variance order must include:~~

~~(a) A certification that the public employer has informed the affected employees of the contemplated variance application by taking the following steps:~~

~~(i) Giving a copy of the application to the public employees' authorized representative, if any;~~

~~(ii) Posting the application in the same manner required under rule 4167-4-01 of the Administrative Code.~~

~~(b) The certification required by this paragraph must include a description of how employees have been informed of the application.~~

(B) Applications for variances and renewals of variances must be made in accordance with section 4167.09 of the Revised Code.

(1) The initial application fee is one thousand dollars.

(2) The renewal application fee is one hundred dollars.

(C) The superintendent ~~shall grant~~ will process variances pursuant to section 4167.09 of the Revised Code.

Effective:

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

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4121.12, 4121.121, 4167.02
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