

PUBLIC HEARING NOTICE

Pursuant to Ohio Revised Code Section 119.03, notice is hereby given that the Department of Administrative Services intends to conduct a public hearing for the purpose of amending Ohio Administrative Code Sections 123:1-19-01, 123:1-19-02, 123:1-21-01, 123:1-30-04, 123:1-30-06, 123:1-31-01, 123:1-31-03, 123:1-32-01, 123:1-32-09, and 123:1-32-10.

The proposed to be amended rules deal with the following subject matter:

- 123:1-19-01 Nature of Probationary Period – To correct a cross-reference from 123:1-23-12 to 123:1-23-03.
- 123:1-19-02 Length of Probation in State Service – To allow for a second extension of a probationary period under certain circumstances and to limit the maximum time for a probationary period, including any extensions, to one year.
- 123:1-21-01 Appointment when no Eligible List Exists – To increase from 30 to 60 days the time period an appointing authority has to fill a position after receiving permission to do so from the Director of the Department of Administrative Services.
- 123:1-30-04 Right of Reinstatement; Right of Appeal – To reduce from sixty to thirty days in which an appointing authority must make its reinstatement decision known to the employee and to make reemployment criteria from a disability separation consistent with the applicable requirements of the appropriate state retirement system.
- 123:1-30-06 Leave Benefits for an Employee given a Disability Separation – To correct a cross-reference from ORC 123.381 to 124.381.

- 123:1-31-01 General Procedure for Removals, Reductions, Suspensions, or Fine – To correct a spelling error and some grammatical errors.
- 123:1-31-03 Absence Without Leave – To change approval authority in this situation from the employee’s superior officer to the appointing authority and to limit the decision of what constitutes a serious situation to the discretion of the appointing authority.
- 123:1-32-01 Availability and Charge of Sick Leave, Vacation Leave, and Personal Leave and Compensation for Sick Leave of Employees Paid by Warrant of the Director of the Office of Budget and Management – To require that an employee complete the applicable probationary period under OAC 123:1-19-02 before they are eligible to use any vacation that appears on the employee’s earning statement.
- 123:1-32-09 Conversion of Sick Leave and Personal Leave Credit upon Separation from Service for Employees Paid by Warrant of the Director of Budget and Management – To add disability separation to the list of types of separations covered by the rule.
- 123:1-32-10 Transfer of Sick Leave, Personal Leave and Vacation Leave Credits, Restoration of Sick Leave, Personal Leave and Vacation Leave Credit – To define for purposes of the rule the term “public agency” to include both county and State of Ohio service for purpose of transferring unused vacation leave pursuant to ORC 124.13.

The Department of Administrative Services shall hold a public hearing on the proposed rule amendments on Tuesday, February 19, 2013, at 9:00 a.m. in Room 2793, on the 27th floor of the James A. Rhodes State Office Tower located at 30 East Broad Street, Columbus, Ohio. At this hearing, any person affected by the rules may appear and be heard in person, by the person’s attorney, or both, may present the person’s position, arguments, or contentions orally or in

writing, offer and examine witnesses, and present evidence that tends to show that the rules, if adopted or effectuated, will be unreasonable or unlawful.

Individuals desiring only to submit their position, arguments, or contentions in writing (written statement) may do so by submitting them to the following address:

HRD/OCB Policy Development Office
100 East Broad Street, 14th Floor
Columbus, Ohio 43215

Attn: Fossil Rules Part 1 (RWP)

Any such written statements actually received by 5:00 p.m. on Friday, February 15, 2013, will be considered by the Department of Administrative Services. A person who timely submits a written statement prior to the hearing as described above, is not required to appear at the hearing to have the written statement considered in the rule making process.