

## ***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 adopting Ohio Administrative Code Sections 123:1-34-04, 123:1-34-05, 123:1-46-05; amending Ohio Administrative Code Sections 123:1-1-02, 123:1-32-09, 123:1-32-10, 123:1-76-11; and the rescission of Ohio Administrative Code Sections 123:1-27-01, 123:1-27-02, 123:1-27-03, 123:1-34-04, 123:1-34-05, and 123:1-46-05.

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

- 123:1-34-04 Military Leave with Pay – Deals with when an employee is entitled to receive military leave with pay.  
[Replacing current OAC 123:1-34-04]
- 123:1-34-05 Uniformed Service Leave without Pay – Deals with reinstatement of an employee from uniformed service leave without pay and the coordination a various benefits under this circumstance.  
[Replacing current OAC 123:1-34-05]
- 123:1-46-05 Leave Donation Program – Deals with eligibility of an employee to donate leave to or receive leave from an employee of the same appointing authority under certain circumstances.  
[Replacing current OAC 123:1-46-05]

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

- 123:1-1-02 Records of the Director – Deals with personnel records maintained on employees and telephone requests for information about employees.

- 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 the Budget and Management – Deals with the procedures and parameters associated with an eligible employee converting sick leave and/or personal leave to cash upon separation from state service.
- 123:1-32-10 Transfer of Sick Leave, Personal Leave and Vacation Leave Credits, Restoration of Sick Leave, Personal Leave and Vacation Leave Credits – Deals with the procedures for transferring accrued leave when and eligible employee goes from one public agency to another or the restoration of such leave credit when an eligible employee is reemployed in public service under certain circumstances.
- 123:1-76-11 Finding of Employee Drug Use and Disciplinary Consequences – Deals with the manner in which an employee may be found to have used illegal drugs and the disciplinary consequences for such action by the employee.

The proposed to be rescinded rules deal with the following subject matter:

- 123:1-27-01 General Principles of the Suggestion Award System – Deals with participation, employee eligibility, and suggestion eligibility for participation in the Suggestion Award System.
- 123:1-27-02 Evaluation of Suggestions – Deals with the procedure for evaluating suggestions under the Suggestion Award System.
- 123:1-27-03 Determination of Award – Deals with the workings of the Suggestion Award Committee and the criteria for

selecting a suggestion to receive an award and the type of award to be presented for a selected suggestion.

- 123:1-34-04 Military Leave with Pay – Deals with when an employee is entitled to receive military leave with pay.  
[Being replaced by new OAC 123:1-34-04]
- 123:1-34-05 Uniformed Service Leave without Pay – Deals with reinstatement of an employee from uniformed service leave without pay and the coordination a various benefits under this circumstance.  
[Being replaced by new OAC 123:1-34-05]
- 123:1-46-05 Leave Donation Program – Deals with eligibility of an employee to donate leave to or receive leave from an employee of the same appointing authority under certain circumstances.  
[Being replaced by new OAC 123:1-46-05]

The Department of Administrative Services shall hold a public hearing on the proposed rule adoptions, amendments, and rescissions on Friday, August 23, 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:

Department of Administrative Services  
HRD/OCB Policy Development Office  
100 East Broad Street, 14<sup>th</sup> Floor

Columbus, Ohio 43215-3414

Attn: July 19, 2013 Rule Filing

Any such written statements actually received by 3:00 p.m. on Thursday, August 22, 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.