

124-3-01

Requirements of "section 124.34 orders" and orders of involuntary disability separation.

- (A) "Section 124.34 orders" and orders of involuntary disability separation may be affirmed only if each of the following five criteria are satisfied:
- (1) The copies of the order filed with the state personnel board of review and the director of administrative services or its statutory designee and served on the employee shall each bear the original signature of the appointing authority and the date of signature. If an appointing authority is a public body, the order must contain the signatures of a majority of the members, or in the alternative, a certified copy of the resolution adopting the order shall be attached to each copy of the order; and
 - (2) The employer shall serve the employee with a copy of the order on or before the effective date of the action; and
 - (3) The employer shall file a copy of the order with the state personnel board of review and the department of administrative services or its statutory designee within ten calendar days after a copy of the order has been served on the employee, in accordance with rule 124-3-02 of the Administrative Code, unless it can be shown that failure to file timely had no adverse effect on the employee; and
 - (4) The order shows, on its face, a list of particulars which form the basis for the order; and
 - (5) The appointing authority can, if challenged, demonstrate both the authority of the signer and the authenticity of the signature on a "section 124.34 order" or an order of involuntary disability separation.
- (B) Disaffirmance of an order under this rule shall not be a bar to filing another "section 124.34 order" or an order of involuntary disability separation based upon the same allegations.

R.C. 119.032 review dates: 02/28/2008 and 02/28/2013

CERTIFIED ELECTRONICALLY

Certification

02/28/2008

Date

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