

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4167-5-02

Rule Type: Rescission

Rule Title/Tagline: Undue hardship.

Agency Name: Public Employment Risk Reduction Program

Division:

Address: 30 West Spring Street L-26 Columbus OH 43215

Contact: Aniko Nagy

Email: aniko.n.1@bwc.state.oh.us **Phone:** 614-466-3293

I. Rule Summary

1. **Is this a five year rule review? Yes**
 - A. **What is the rule's five year review date? 9/21/2018**
2. **Is this rule the result of recent legislation? No**
3. **What statute is this rule being promulgated under? 119.03**
4. **What statute(s) grant rule writing authority? 4121.12, 4121.121, 4167.02, 4167.07**
5. **What statute(s) does the rule implement or amplify? 4167.01**
6. **What are the reasons for proposing the rule?**

Pursuant to R.C. 119.032, state agencies are required to review all agency rules every five years to determine whether to amend the rules, rescind the rules, or continue the rules without change. Due to such review, the Bureau is proposing to rescind this rule for the purposes explained below.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule, which is currently OAC 4167-3-02, governs the public employer's petition for exclusion from a rule or order due to undue hardship. The Bureau is proposing

to renumber this rule from OAC 4167-5-02 to 4167-5-03 to clarify the progression of activities for exclusion due to undue hardship.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0.00

N/A

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

N/A

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? No

16. Does this rule have an adverse impact on business? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**