

NOTICE OF PUBLIC HEARING

THE DEPARTMENT OF ADMINISTRATIVE SERVICES (DAS), pursuant to Chapter 119 of the Ohio Revised Code, hereby gives notice that a public hearing will be conducted for the purpose of considering the adoption and amendment of the following rules contained in the Ohio Administrative Code.

The public hearing will be conducted on **Friday, January 31, 2014**, beginning at **9:00 a.m.**, in **Lobby Hearing Room, located at the James A. Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio 43215**. All interested persons affected by the proposed actions may be heard by oral or written testimony.

The following rules are being **rescinded** and new ones proposed:

123:1-49-01 Equal Employment Opportunity Policy.

This rule is the state equal employment opportunity policy that prohibits discrimination based on federal and state regulation and laws and within state government concerning employment related decisions.

123:1-49-02 Duties of the State Employees Equal Opportunity Coordinator.

This rule states the duties of the state EEO Coordinator as well as added information from the previous section of a rule that the EEO Coordinator shall review and evaluate agency equal opportunity program operations periodically, obtain such reports as the coordinator deems necessary, and report to the Governor.

123:1-49-03 Responsibilities of State Agencies in Regard to EEO.

This rule states the responsibilities for the agencies when implementing equal employment opportunity policies within their respective agency. Additional responsibilities have been included and moved section 123:1-49-05, Characteristics Of An Affirmative Action Program-- to provide agency head with relevant information, to evaluate programs, eliminate discrimination, report unequal practices and counsel aggrieved employees.

123:1-49-04 Establishment of Affirmative Action Plan.

This rule states that each agency shall establish, maintain, and carry out a continuing Affirmative Action Plan designed to promote equal opportunity in every aspect of agency personnel policy and practice.

123:1-49-05 Characteristics of Affirmative Action Plan.

This rule provides information about the agency affirmative action plan as well as how the agency should appraise operations to ensure conformity with these regulations.

123:1-49-06 Adoption of EEO Commission Guidelines (Rescission) Filing of Complaint (New).

This rule provides guidance on the procedures for filing a complaint, complainant's rights, and jurisdictional requirements of the equal opportunity division.

123:1-49-07 Division Review (Rescission) Appeal to Division (New).

This rule gives individual guidance of steps to take after investigation and ruling on the merits of a complaint and the complainant's rights in order to appeal the determination of an agency.

123:1-49-08 Filing and Presentation of Complaints (Rescission) Hearing (New).

This rule gives guidance on when, where, and how a hearing can be held. It also provides guidance on witnesses, reports and recommendations.

The following rules are being rescinded:

123:1-49-09	Complaints in writing
123:1-49-10	Format of complaints
123:1-49-11	Filing of complaints
123:1-49-12	Complainant's Right to have representation
123:1-49-13	Rejection/Cancellation of complaint
123:1-49-14	Prehearing process
123:1-49-15	Informal adjustment of complaint
123:1-49-16	Freedom from reprisal or interference
123:1-49-17	Choice of review procedures
123:1-49-18	Hearing
123:1-49-19	Transmittal of Complaint File
123:1-49-20	Conduct of hearing
123:1-49-21	Powers of complaints examiner
123:1-49-22	Responsibilities of agency in hearing
123:1-49-23	Documents part of hearing record
123:1-49-24	Decision transmittal
123:1-49-25	Prompt resolution of complaint
123:1-49-26	Monthly reports of complaints
123:1-49-27	Complaint examiner's decision binding
123:1-49-28	Decisions based on information in file
123:1-49-29	Agency Transmittal to Complainant
123:1-49-30	Remedial action by agency
123:1-49-31	Complaint file
123:1-49-32	Notification of Right to Appeal
123:1-49-33	Reasons for appeal
123:1-49-34	Appeal in writing
123:1-49-35	Time limits for appeal
123:1-49-36	Disposition of appeal by division
123:1-49-37	Reasons for reconsideration
123:1-49-38	Remedial action
123:1-49-39	Right to repeal to the OCRC
123:1-49-40	Agency head to provide leadership in AA planning
123:1-49-41	General requirements for plan
123:1-49-42	Review of plan by division
123:1-49-43	Additional requirements for agency plan
123:1-49-44	Guidelines for AA plans
123:1-49-45	Statistical data
123:1-49-46	Delegation of authority by coordinator
123:1-49-47	Each section independent

Copies of the proposed rules are available from:

- Dept. of Administrative Services, 30 E. Broad St., Suite 4023, Columbus, Ohio 43215;
- Register of Ohio website: <http://www.registerofohio.state.oh.us>

All interested persons will be given an opportunity to be heard at the public hearing. Those persons who wish to provide oral testimony are encouraged to contact the Department of Administrative Services at 614-644-1773, no later than January 30, 2014, and may be given preference in the order of their testimony.

All interested persons providing written comments in lieu of oral testimony are also encouraged to send their comments, no later than January 30, 2014, to:

The Department of Administrative Services
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