

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: February 14, 2019
TIME: 10:00 a.m.
LOCATION: Room 3110B
Rhodes State Office Tower

Pursuant to section 4141.13 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon. All rules below are proposed to be amended as a result of the five year review process, and to correct the promulgating statute from 4141.14 to 119.03. In addition, rules 4141-17-02, 4141-17-03 and 4141-17-05 are amended for language content changes.

OAC Rule 4141-17-02 entitled "Voluntary successorship; clearly segregable and identifiable portion." This rule explains and clarifies that the transfer of a portion of a trade or business results in the transferee becoming a successor in interest should several requirements be met.

OAC Rule 4141-17-03 entitled "Voluntary successorship; substantially all of the assets." This rule explains and clarifies that the transfer of substantially all of a trade or business results in the transferee becoming a successor in interest should several requirements be met.

OAC Rule 4141-17-04 entitled "Automatic successorship." This rule explains that the transferee shall become a successor in interest by law where (1) there is a transfer of all of the transferor's trade or business located in Ohio; and (2) at the time of transfer the transferor is liable under Chapter 4141. of the Revised Code.

OAC Rule 4141-05 entitled "Mandatory partial transfer of experience." This rule clarifies that if an employer has transferred a portion of its trade or business to another employer and, at the time of transfer, both employers are under substantially common ownership, management, or control, then the unemployment experience and outstanding debt attributable to the transferred portion of the trade or business shall be transferred to the transferee.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.