

4167-14-02 Hearings and appeals.

(A) Except as provided in paragraph (E) of rule 4167-14-01 of the Administrative Code, any public employer, public employee, or public employee representative affected by an order, rule or Ohio employment risk reduction standard proposed, adopted, or otherwise issued pursuant to this chapter, may request, within fourteen calendar days of the proposal, adoption, or issuance of the order, rule, or standard, a hearing from the superintendent.

(B) The superintendent shall appoint a hearing officer within fourteen calendar days of the receipt of the request. The hearing officer shall hold a hearing within fourteen calendar days of appointment and render a decision within fourteen calendar days of the hearing.

(C) The hearing will be held in conformance with the procedures outlined in section 119.09 of the Revised Code.

(D) A public employer, public employee, or public employee representative may appeal the decision of the hearing officer to the superintendent pursuant to 119. of the Revised Code, provided that the appeal is made within thirty days of the receipt of the hearing officer's decision. The decision of the hearing officer is final unless appealed to the superintendent within the time period set in this rule or unless the superintendent, on his own motion, modifies or reverses the decision within that time period.

(E) The superintendent shall issue a decision within thirty days of receipt of the appeal of the hearing officer's decision.

(F) If a party fails to appeal the decision of the hearing officer, the decision of the hearing officer is not, for purposes of paragraph (C) of this rule, a final order of the administrator and is not appealable to court as provided in rule 4167-14-03 of the Administrative Code, except that if the party fails to appeal the decision of the hearing officer and the administrator modifies or reverses the decision of the hearing officer under this paragraph, the decision of the administrator is appealable to court pursuant to rule 4167-14-03 of the Administrative Code.

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