

4167-5-01 Abatement dates.

- (A) In establishing the time limits in which a public employer must abate a violation under this chapter, the superintendent shall consider the following:
- (1) The costs to the employer;
 - (2) The size and financial resources of the employer;
 - (3) The severity of the violation;
 - (4) The technological feasibility of the employer's ability to comply with requirements of the citation;
 - (5) The possible present and future detriment to the health and safety of any public employee for failure of the employer to comply with requirements of the citation; and
 - (6) Other factors as the superintendent determines appropriate.
- (B) After considering the factors in paragraph (A) of this rule, the superintendent shall fix the abatement period to be the shortest interval within which the employer can reasonably be expected to correct the violation, but not more than two years. The abatement date shall be set forth in the citation as a specific date, not a number of days.
- (C) Where the superintendent determines it is appropriate, the superintendent may grant a one year extension to the abatement period.

Effective: 1/1/14

Prior Effective Dates: 7/1/94, 11/15/96, 8/15/01