

As Reported by the Senate Workforce and Higher Education Committee

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Am. S. B. No. 96

Senators Lang, Wilson

A BILL

To amend sections 4109.08, 4111.09, 4112.07, 1
4115.07, 4123.54, 4123.83, and 4167.11 of the 2
Revised Code to allow employers to post certain 3
labor law notices on the internet. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4109.08, 4111.09, 4112.07, 5
4115.07, 4123.54, 4123.83, and 4167.11 of the Revised Code be 6
amended to read as follows: 7

Sec. 4109.08. ~~(A)(A)(1)~~ No minor shall be employed unless 8
the employer keeps on the premises a complete list of all minors 9
employed by the employer at a particular establishment ~~and a~~ 10
~~printed abstract to be furnished by the director of commerce~~ 11
~~summarizing the provisions of this chapter.~~ 12

The list ~~and abstract~~ shall be posted in plain view in a 13
conspicuous place which is frequented by the largest number of 14
minor employees, and to which all minor employees have access. 15

(2) No minor shall be employed unless the employer posts 16
an abstract to be furnished by the director of commerce 17
summarizing the provisions of this chapter. The abstract shall 18
be posted in one of the following ways: 19

(a) On the premises in plain view in a conspicuous place 20
which is frequented by the largest number of minor employees, 21
and to which all minor employees have access; 22

(b) On the internet in a manner that is accessible to the 23
employer's employees. 24

(B) An enforcement official may require any employer, in 25
or about whose establishment an employee apparently under 26
eighteen years of age is employed and whose age and schooling 27
certificate is not on file with the director of commerce as 28
required by section 3331.01 of the Revised Code, to furnish the 29
enforcement official satisfactory evidence that the employee is 30
in fact eighteen years of age or older. The enforcement official 31
shall require from the employer the same evidence of age of the 32
employee as is required by section 3331.02 of the Revised Code 33
upon the issuance of an age and schooling certificate. No 34
employer shall fail to produce the evidence. 35

(C) Any employee apparently under eighteen years of age, 36
working in any occupation or establishment with respect to which 37
there are restrictions by rule or law governing the employment 38
of minors, with respect to whom the employer has not furnished 39
satisfactory evidence that the person is at or above the age 40
required for performance of employment with the employer after 41
being requested to do so, and who refuses to give to an 42
enforcement official the employee's name, age, and place of 43
residence may be taken into custody and charged with being an 44
unruly child or other appropriate charge under Chapter 2151. or 45
2152. of the Revised Code. 46

(D) No person shall, with the intent to assist a minor to 47
procure employment, make a false statement by any means, 48
including by submitting falsified forms electronically, to any 49

employer or to any person authorized to issue an age and 50
schooling certificate. 51

Sec. 4111.09. (A) Every employer subject to sections 52
4111.01 to 4111.17 of the Revised Code, or to any rules issued 53
thereunder, shall keep a summary of the sections, approved by 54
the director of commerce, and copies of any applicable rules 55
issued thereunder, or a summary of the rules, posted in one of 56
the following ways: 57

(1) In a conspicuous and accessible place in or about the 58
premises wherein any person subject thereto is employed; 59

(2) On the internet in a manner that is accessible to the 60
employer's employees. 61

(B) The director of commerce shall make the summary 62
described in this section available on the web site of the 63
department of commerce. The director shall update this summary 64
as necessary, but not less than annually, in order to reflect 65
changes in the minimum wage rate as required under Section 34a 66
of Article II, Ohio Constitution. Employees and employers shall 67
be furnished copies of the summaries and rules by the state, on 68
request, without charge. 69

Sec. 4112.07. Every person subject to division (A), (B), 70
(C), (D), or (E) of section 4112.02 of the Revised Code shall 71
post in a conspicuous place or places on his the person's 72
premises, or on the internet in a manner that is accessible to 73
the public, a notice to be prepared or approved by the 74
commission that shall set forth excerpts of this chapter and 75
other relevant information that the commission deems necessary 76
to explain this chapter. 77

Sec. 4115.07. All contractors and subcontractors required 78

by sections 4115.03 to 4115.16 of the Revised Code, and the 79
action of any public authority to pay not less than the 80
prevailing rate of wages shall make full payment of such wages 81
in legal tender, without any deduction for food, sleeping 82
accommodations, transportation, use of small tools, or any other 83
thing of any kind or description. This section does not apply 84
where the employer and employee enter into an agreement in 85
writing at the beginning of any term of employment covering 86
deductions for food, sleeping accommodations, or other similar 87
item, provided such agreement is submitted by the employer to 88
the public authority fixing the rate of wages and is approved by 89
such public authority as fair and reasonable. 90

All contractors or subcontractors falling within or 91
affected by sections 4115.03 to 4115.16 of the Revised Code, 92
shall keep full and accurate payroll records with respect to 93
wages paid each employee and the number of hours worked by each 94
employee, covering all disbursements of wages to their employees 95
to whom they are required to pay not less than the prevailing 96
rate of wages. Such payroll records shall be open to inspection 97
by any authorized representative of the contracting public 98
authority, including the prevailing wage coordinator or the 99
director of commerce at any reasonable time and as often as may 100
be necessary, and such records shall not be destroyed or removed 101
from the state for the period of one year following the 102
completion of the public improvement in connection with which 103
the records are made. There shall be posted in a prominent and 104
accessible place on the site of the work, or on the internet in 105
a manner that is accessible to the contractor's or 106
subcontractor's employees, a legible statement of the schedule 107
of wage rates specified in the contract to the various 108
classifications of laborers, workers, and mechanics employed, 109

said statement to remain posted during the life of each 110
contract. 111

Each contractor or subcontractor shall file with the 112
contracting public authority upon completion of the public 113
improvement and prior to final payment therefor an affidavit 114
stating that the contractor or subcontractor has fully complied 115
with sections 4115.03 to 4115.16 of the Revised Code. 116

Sec. 4123.54. (A) Except as otherwise provided in this 117
division or divisions (I) and (K) of this section, every 118
employee, who is injured or who contracts an occupational 119
disease, and the dependents of each employee who is killed, or 120
dies as the result of an occupational disease contracted in the 121
course of employment, wherever the injury has occurred or 122
occupational disease has been contracted, is entitled to receive 123
the compensation for loss sustained on account of the injury, 124
occupational disease, or death, and the medical, nurse, and 125
hospital services and medicines, and the amount of funeral 126
expenses in case of death, as are provided by this chapter. The 127
compensation and benefits shall be provided, as applicable, 128
directly from the employee's self-insuring employer as provided 129
in section 4123.35 of the Revised Code or from the state 130
insurance fund. An employee or dependent is not entitled to 131
receive compensation or benefits under this division if the 132
employee's injury or occupational disease is either of the 133
following: 134

(1) Purposely self-inflicted; 135

(2) Caused by the employee being intoxicated, under the 136
influence of a controlled substance not prescribed by a 137
physician, or under the influence of marihuana if being 138
intoxicated, under the influence of a controlled substance not 139

prescribed by a physician, or under the influence of marihuana 140
was the proximate cause of the injury. 141

(B) For the purpose of this section, provided that an 142
employer has posted written notice to employees that the results 143
of, or the employee's refusal to submit to, any chemical test 144
described under this division may affect the employee's 145
eligibility for compensation and benefits pursuant to this 146
chapter and Chapter 4121. of the Revised Code, there is a 147
rebuttable presumption that an employee is intoxicated, under 148
the influence of a controlled substance not prescribed by the 149
employee's physician, or under the influence of marihuana and 150
that being intoxicated, under the influence of a controlled 151
substance not prescribed by the employee's physician, or under 152
the influence of marihuana is the proximate cause of an injury 153
under either of the following conditions: 154

(1) When any one or more of the following is true: 155

(a) The employee, through a qualifying chemical test 156
administered within eight hours of an injury, is determined to 157
have an alcohol concentration level equal to or in excess of the 158
levels established in divisions (A) (1) (b) to (i) of section 159
4511.19 of the Revised Code. 160

(b) The employee, through a qualifying chemical test 161
administered within thirty-two hours of an injury, is determined 162
to have a controlled substance not prescribed by the employee's 163
physician or marihuana in the employee's system at a level equal 164
to or in excess of the cutoff concentration level for the 165
particular substance as provided in section 40.87 of Title 49 of 166
the Code of Federal Regulations, 49 C.F.R. 40.87, as amended. 167

(c) The employee, through a qualifying chemical test 168

administered within thirty-two hours of an injury, is determined 169
to have barbiturates, benzodiazepines, or methadone in the 170
employee's system that tests above levels established by 171
laboratories certified by the United States department of health 172
and human services. 173

(2) When the employee refuses to submit to a requested 174
chemical test, on the condition that that employee is or was 175
given notice that the refusal to submit to any chemical test 176
described in division (B) (1) of this section may affect the 177
employee's eligibility for compensation and benefits under this 178
chapter and Chapter 4121. of the Revised Code. 179

(C) (1) For purposes of division (B) of this section, a 180
chemical test is a qualifying chemical test if it is 181
administered to an employee after an injury under at least one 182
of the following conditions: 183

(a) When the employee's employer had reasonable cause to 184
suspect that the employee may be intoxicated, under the 185
influence of a controlled substance not prescribed by the 186
employee's physician, or under the influence of marihuana; 187

(b) At the request of a police officer pursuant to section 188
4511.191 of the Revised Code, and not at the request of the 189
employee's employer; 190

(c) At the request of a licensed physician who is not 191
employed by the employee's employer, and not at the request of 192
the employee's employer. 193

(2) As used in division (C) (1) (a) of this section, 194
"reasonable cause" means, but is not limited to, evidence that 195
an employee is or was using alcohol, a controlled substance, or 196
marihuana drawn from specific, objective facts and reasonable 197

inferences drawn from these facts in light of experience and 198
training. These facts and inferences may be based on, but are 199
not limited to, any of the following: 200

(a) Observable phenomena, such as direct observation of 201
use, possession, or distribution of alcohol, a controlled 202
substance, or marihuana, or of the physical symptoms of being 203
under the influence of alcohol, a controlled substance, or 204
marihuana, such as but not limited to slurred speech; dilated 205
pupils; odor of alcohol, a controlled substance, or marihuana; 206
changes in affect; or dynamic mood swings; 207

(b) A pattern of abnormal conduct, erratic or aberrant 208
behavior, or deteriorating work performance such as frequent 209
absenteeism, excessive tardiness, or recurrent accidents, that 210
appears to be related to the use of alcohol, a controlled 211
substance, or marihuana, and does not appear to be attributable 212
to other factors; 213

(c) The identification of an employee as the focus of a 214
criminal investigation into unauthorized possession, use, or 215
trafficking of a controlled substance or marihuana; 216

(d) A report of use of alcohol, a controlled substance, or 217
marihuana provided by a reliable and credible source; 218

(e) Repeated or flagrant violations of the safety or work 219
rules of the employee's employer, that are determined by the 220
employee's supervisor to pose a substantial risk of physical 221
injury or property damage and that appear to be related to the 222
use of alcohol, a controlled substance, or marihuana and that do 223
not appear attributable to other factors. 224

(D) Nothing in this section shall be construed to affect 225
the rights of an employer to test employees for alcohol or 226

controlled substance abuse. 227

(E) For the purpose of this section, laboratories 228
certified by the United States department of health and human 229
services or laboratories that meet or exceed the standards of 230
that department for laboratory certification shall be used for 231
processing the test results of a qualifying chemical test. 232

(F) The written notice required by division (B) of this 233
section shall be the same size or larger than the proof of 234
workers' compensation coverage furnished by the bureau of 235
workers' compensation and shall be posted by the employer in the 236
same location as the proof of workers' compensation coverage or 237
the certificate of self-insurance. An employer may post the 238
written notice required by division (B) of this section on the 239
internet in a manner that is accessible to the employer's 240
employees. 241

(G) If a condition that pre-existed an injury is 242
substantially aggravated by the injury, and that substantial 243
aggravation is documented by objective diagnostic findings, 244
objective clinical findings, or objective test results, no 245
compensation or benefits are payable because of the pre-existing 246
condition once that condition has returned to a level that would 247
have existed without the injury. 248

(H) (1) Whenever, with respect to an employee of an 249
employer who is subject to and has complied with this chapter, 250
there is possibility of conflict with respect to the application 251
of workers' compensation laws because the contract of employment 252
is entered into and all or some portion of the work is or is to 253
be performed in a state or states other than Ohio, the employer 254
and the employee may agree to be bound by the laws of this state 255
or by the laws of some other state in which all or some portion 256

of the work of the employee is to be performed. The agreement 257
shall be in writing and shall be filed with the bureau of 258
workers' compensation within ten days after it is executed and 259
shall remain in force until terminated or modified by agreement 260
of the parties similarly filed. If the agreement is to be bound 261
by the laws of this state and the employer has complied with 262
this chapter, then the employee is entitled to compensation and 263
benefits regardless of where the injury occurs or the disease is 264
contracted and the rights of the employee and the employee's 265
dependents under the laws of this state are the exclusive remedy 266
against the employer on account of injury, disease, or death in 267
the course of and arising out of the employee's employment. If 268
the agreement is to be bound by the laws of another state and 269
the employer has complied with the laws of that state, the 270
rights of the employee and the employee's dependents under the 271
laws of that state are the exclusive remedy against the employer 272
on account of injury, disease, or death in the course of and 273
arising out of the employee's employment without regard to the 274
place where the injury was sustained or the disease contracted. 275
If an employer and an employee enter into an agreement under 276
this division, the fact that the employer and the employee 277
entered into that agreement shall not be construed to change the 278
status of an employee whose continued employment is subject to 279
the will of the employer or the employee, unless the agreement 280
contains a provision that expressly changes that status. 281

(2) If an employee or the employee's dependents receive an 282
award of compensation or benefits under this chapter or Chapter 283
4121., 4127., or 4131. of the Revised Code for the same injury, 284
occupational disease, or death for which the employee or the 285
employee's dependents previously pursued or otherwise elected to 286
accept workers' compensation benefits and received a decision on 287

the merits as defined in section 4123.542 of the Revised Code 288
under the laws of another state or recovered damages under the 289
laws of another state, the claim shall be disallowed and the 290
administrator or any self-insuring employer, by any lawful 291
means, may collect from the employee or the employee's 292
dependents any of the following: 293

(a) The amount of compensation or benefits paid to or on 294
behalf of the employee or the employee's dependents by the 295
administrator or a self-insuring employer pursuant to this 296
chapter or Chapter 4121., 4127., or 4131. of the Revised Code 297
for that award; 298

(b) Any interest, attorney's fees, and costs the 299
administrator or the self-insuring employer incurs in collecting 300
that payment. 301

(3) If an employee or the employee's dependents receive an 302
award of compensation or benefits under this chapter or Chapter 303
4121., 4127., or 4131. of the Revised Code and subsequently 304
pursue or otherwise elect to accept workers' compensation 305
benefits or damages under the laws of another state for the same 306
injury, occupational disease, or death the claim under this 307
chapter or Chapter 4121., 4127., or 4131. of the Revised Code 308
shall be disallowed. The administrator or a self-insuring 309
employer, by any lawful means, may collect from the employee or 310
the employee's dependents or other-states' insurer any of the 311
following: 312

(a) The amount of compensation or benefits paid to or on 313
behalf of the employee or the employee's dependents by the 314
administrator or the self-insuring employer pursuant to this 315
chapter or Chapter 4121., 4127., or 4131. of the Revised Code 316
for that award; 317

(b) Any interest, costs, and attorney's fees the 318
administrator or the self-insuring employer incurs in collecting 319
that payment; 320

(c) Any costs incurred by an employer in contesting or 321
responding to any claim filed by the employee or the employee's 322
dependents for the same injury, occupational disease, or death 323
that was filed after the original claim for which the employee 324
or the employee's dependents received a decision on the merits 325
as described in section 4123.542 of the Revised Code. 326

(4) If the employee's employer pays premiums into the 327
state insurance fund, the administrator shall not charge the 328
amount of compensation or benefits the administrator collects 329
pursuant to division (H) (2) or (3) of this section to the 330
employer's experience. If the administrator collects any costs 331
incurred by an employer in contesting or responding to any claim 332
pursuant to division (H) (2) or (3) of this section, the 333
administrator shall forward the amount collected to that 334
employer. If the employee's employer is a self-insuring 335
employer, the self-insuring employer shall deduct the amount of 336
compensation or benefits the self-insuring employer collects 337
pursuant to this division from the paid compensation the self- 338
insuring employer reports to the administrator under division 339
(L) of section 4123.35 of the Revised Code. 340

(5) If an employee is a resident of a state other than 341
this state and is insured under the workers' compensation law or 342
similar laws of a state other than this state, the employee and 343
the employee's dependents are not entitled to receive 344
compensation or benefits under this chapter, on account of 345
injury, disease, or death arising out of or in the course of 346
employment while temporarily within this state, and the rights 347

of the employee and the employee's dependents under the laws of 348
the other state are the exclusive remedy against the employer on 349
account of the injury, disease, or death. 350

(6) An employee, or the dependent of an employee, who 351
elects to receive compensation and benefits under this chapter 352
or Chapter 4121., 4127., or 4131. of the Revised Code for a 353
claim may not receive compensation and benefits under the 354
workers' compensation laws of any state other than this state 355
for that same claim. For each claim submitted by or on behalf of 356
an employee, the administrator or, if the employee is employed 357
by a self-insuring employer, the self-insuring employer, shall 358
request the employee or the employee's dependent to sign an 359
election that affirms the employee's or employee's dependent's 360
acceptance of electing to receive compensation and benefits 361
under this chapter or Chapter 4121., 4127., or 4131. of the 362
Revised Code for that claim that also affirmatively waives and 363
releases the employee's or the employee's dependent's right to 364
file for and receive compensation and benefits under the laws of 365
any state other than this state for that claim. The employee or 366
employee's dependent shall sign the election form within twenty- 367
eight days after the administrator or self-insuring employer 368
submits the request or the administrator or self-insuring 369
employer shall dismiss that claim. 370

In the event a workers' compensation claim has been filed 371
in another jurisdiction on behalf of an employee or the 372
dependents of an employee, and the employee or dependents 373
subsequently elect to receive compensation, benefits, or both 374
under this chapter or Chapter 4121., 4127., or 4131. of the 375
Revised Code, the employee or dependent shall withdraw or refuse 376
acceptance of the workers' compensation claim filed in the other 377
jurisdiction in order to pursue compensation or benefits under 378

the laws of this state. If the employee or dependents were 379
awarded workers' compensation benefits or had recovered damages 380
under the laws of the other state, any compensation and benefits 381
awarded under this chapter or Chapter 4121., 4127., or 4131. of 382
the Revised Code shall be paid only to the extent to which those 383
payments exceed the amounts paid under the laws of the other 384
state. If the employee or dependent fails to withdraw or to 385
refuse acceptance of the workers' compensation claim in the 386
other jurisdiction within twenty-eight days after a request made 387
by the administrator or a self-insuring employer, the 388
administrator or self-insuring employer shall dismiss the 389
employee's or employee's dependents' claim made in this state. 390

(I) If an employee who is covered under the federal 391
"Longshore and Harbor Workers' Compensation Act," 98 Stat. 1639, 392
33 U.S.C. 901 et seq., is injured or contracts an occupational 393
disease or dies as a result of an injury or occupational 394
disease, and if that employee's or that employee's dependents' 395
claim for compensation or benefits for that injury, occupational 396
disease, or death is subject to the jurisdiction of that act, 397
the employee or the employee's dependents are not entitled to 398
apply for and shall not receive compensation or benefits under 399
this chapter and Chapter 4121. of the Revised Code. The rights 400
of such an employee and the employee's dependents under the 401
federal "Longshore and Harbor Workers' Compensation Act," 98 402
Stat. 1639, 33 U.S.C. 901 et seq., are the exclusive remedy 403
against the employer for that injury, occupational disease, or 404
death. 405

(J) Compensation or benefits are not payable to a claimant 406
or a dependent during the period of confinement of the claimant 407
or dependent in any state or federal correctional institution, 408
or in any county jail in lieu of incarceration in a state or 409

federal correctional institution, whether in this or any other 410
state for conviction of violation of any state or federal 411
criminal law. 412

(K) An employer, upon the approval of the administrator, 413
may provide for workers' compensation coverage for the 414
employer's employees who are professional athletes and coaches 415
by submitting to the administrator proof of coverage under a 416
league policy issued under the laws of another state under 417
either of the following circumstances: 418

(1) The employer administers the payroll and workers' 419
compensation insurance for a professional sports team subject to 420
a collective bargaining agreement, and the collective bargaining 421
agreement provides for the uniform administration of workers' 422
compensation benefits and compensation for professional 423
athletes. 424

(2) The employer is a professional sports league, or is a 425
member team of a professional sports league, and all of the 426
following apply: 427

(a) The professional sports league operates as a single 428
entity, whereby all of the players and coaches of the sports 429
league are employees of the sports league and not of the 430
individual member teams. 431

(b) The professional sports league at all times maintains 432
workers' compensation insurance that provides coverage for the 433
players and coaches of the sports league. 434

(c) Each individual member team of the professional sports 435
league, pursuant to the organizational or operating documents of 436
the sports league, is obligated to the sports league to pay to 437
the sports league any workers' compensation claims that are not 438

covered by the workers' compensation insurance maintained by the 439
sports league. 440

If the administrator approves the employer's proof of 441
coverage submitted under division (K) of this section, a 442
professional athlete or coach who is an employee of the employer 443
and the dependents of the professional athlete or coach are not 444
entitled to apply for and shall not receive compensation or 445
benefits under this chapter and Chapter 4121. of the Revised 446
Code. The rights of such an athlete or coach and the dependents 447
of such an athlete or coach under the laws of the state where 448
the policy was issued are the exclusive remedy against the 449
employer for the athlete or coach if the athlete or coach 450
suffers an injury or contracts an occupational disease in the 451
course of employment, or for the dependents of the athlete or 452
the coach if the athlete or coach is killed as a result of an 453
injury or dies as a result of an occupational disease, 454
regardless of the location where the injury was suffered or the 455
occupational disease was contracted. 456

Sec. 4123.83. Each employer paying premiums into the state 457
insurance fund or electing directly to pay compensation to the 458
employer's injured employees or the dependents of the employer's 459
killed employees as provided in section 4123.35 of the Revised 460
Code, shall post ~~conspicuously in the employer's place or places~~ 461
~~of employment~~ notices, which shall be furnished at least 462
annually by the bureau of workers' compensation. The employer 463
shall post the notice conspicuously in the employer's place or 464
places of employment or on the internet in a manner that is 465
accessible to the employer's employees. The notice shall state 466
that it is proof of workers' compensation coverage, or that the 467
employer has complied with section 4123.35 of the Revised Code 468
and has been authorized by the administrator of workers' 469

compensation directly to compensate employees or dependents, and 470
the date of the authorization. The notice shall indicate that 471
coverage is contingent on continued payment of premiums and 472
assessments due. The notice, when posted, constitutes sufficient 473
notice to the employer's employees of the fact that the employer 474
carries workers' compensation coverage or that the employer has 475
complied with the elective provisions of section 4123.35 of the 476
Revised Code. 477

Sec. 4167.11. (A) In order to further the purposes of this 478
chapter, the administrator of workers' compensation shall 479
develop and maintain, for public employers and public employees, 480
an effective program of collection, compilation, and analysis of 481
employment risk reduction statistics. 482

(B) To implement and maintain division (A) of this 483
section, the administrator, with the advice and consent of the 484
bureau of workers' compensation board of directors, shall adopt 485
rules in accordance with Chapter 119. of the Revised Code that 486
extend to all of the following: 487

(1) Requiring each public employer to make, keep, and 488
preserve, and make available to the administrator, reports and 489
records regarding the public employer's activities, as 490
determined by the rule that are necessary or appropriate for the 491
enforcement of this chapter or for developing information 492
regarding the causes and prevention of occupational accidents 493
and illnesses. The rule shall prescribe which of these reports 494
and records shall or may be furnished to public employees and 495
public employee representatives. 496

(2) Requiring every public employer, through posting of 497
notices or other appropriate means, to keep their public 498
employees informed of public employees' rights and obligations 499

under this chapter, including the provisions of applicable Ohio 500
employment risk reduction standards~~7~~. The rule shall allow any 501
required notice to be posted on the internet in a manner that is 502
accessible to the public employer's employees. 503

(3) Requiring public employers to maintain accurate 504
records of public employee exposure to potentially toxic 505
materials, carcinogenic materials, and harmful physical agents 506
that are required to be monitored or measured under rules 507
adopted under the guidelines of division (C) of section 4167.07 508
of the Revised Code. The rule shall provide public employees or 509
public employee representatives an opportunity to observe the 510
monitoring or measuring, and to have access on request to the 511
records thereof, and may provide public employees or public 512
employee representatives an opportunity to participate in and to 513
undertake their own monitoring or measuring. The rules also 514
shall permit each current or former public employee to have 515
access to the records that indicate their own exposure to toxic 516
materials, carcinogenic materials, or harmful agents. 517

(C) The administrator shall obtain any information under 518
division (B) of this section with a minimum burden upon the 519
public employer and shall, to the maximum extent feasible, 520
reduce unnecessary duplication of efforts in obtaining the 521
information. 522

Section 2. That existing sections 4109.08, 4111.09, 523
4112.07, 4115.07, 4123.54, 4123.83, and 4167.11 of the Revised 524
Code are hereby repealed. 525