

**As Passed by the Senate**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. S. B. No. 96**

**Senators Lang, Wilson**

**Cosponsors: Senators Brenner, Cirino, Hackett, Johnson, Romanchuk, Schaffer,  
Wilkin**

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**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 procure employment, make a false statement by any means, including by submitting falsified forms electronically, to any employer or to any person authorized to issue an age and schooling certificate.

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

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

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

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

**Sec. 4112.07.** Every person subject to division (A), (B), (C), (D), or (E) of section 4112.02 of the Revised Code shall post in a conspicuous place or places on his the person's premises, or on the internet in a manner that is accessible to the public, a notice to be prepared or approved by the commission that shall set forth excerpts of this chapter and

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 marihuana drawn from specific, objective facts and reasonable inferences drawn from these facts in light of experience and training. These facts and inferences may be based on, but are not limited to, any of the following:

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

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

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

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

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



(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~~r~~. 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