

As Reported by the House Commerce and Labor Committee

135th General Assembly

Regular Session

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H. B. No. 273

Representative Mathews

Cosponsors: Representatives Seitz, Johnson, Roemer

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

The list and abstract shall be posted in one of the 13  
following ways: 14

(1) On the premises in plain view in a conspicuous place 15  
which is frequented by the largest number of minor employees, 16  
and to which all minor employees have access; 17

(2) On the internet in a manner that is accessible to the 18  
employer's employees. 19

(B) An enforcement official may require any employer, in 20  
or about whose establishment an employee apparently under 21  
eighteen years of age is employed and whose age and schooling 22  
certificate is not on file with the director of commerce as 23  
required by section 3331.01 of the Revised Code, to furnish the 24  
enforcement official satisfactory evidence that the employee is 25  
in fact eighteen years of age or older. The enforcement official 26  
shall require from the employer the same evidence of age of the 27  
employee as is required by section 3331.02 of the Revised Code 28  
upon the issuance of an age and schooling certificate. No 29  
employer shall fail to produce the evidence. 30

(C) Any employee apparently under eighteen years of age, 31  
working in any occupation or establishment with respect to which 32  
there are restrictions by rule or law governing the employment 33  
of minors, with respect to whom the employer has not furnished 34  
satisfactory evidence that the person is at or above the age 35  
required for performance of employment with the employer after 36  
being requested to do so, and who refuses to give to an 37  
enforcement official the employee's name, age, and place of 38  
residence may be taken into custody and charged with being an 39  
unruly child or other appropriate charge under Chapter 2151. or 40  
2152. of the Revised Code. 41

(D) No person shall, with the intent to assist a minor to 42  
procure employment, make a false statement by any means, 43  
including by submitting falsified forms electronically, to any 44  
employer or to any person authorized to issue an age and 45  
schooling certificate. 46

**Sec. 4111.09.** (A) Every employer subject to sections 47

4111.01 to 4111.17 of the Revised Code, or to any rules issued 48  
thereunder, shall keep a summary of the sections, approved by 49  
the director of commerce, and copies of any applicable rules 50  
issued thereunder, or a summary of the rules, posted in one of 51  
the following ways: 52

(1) In a conspicuous and accessible place in or about the 53  
premises wherein any person subject thereto is employed; 54

(2) On the internet in a manner that is accessible to the 55  
employer's employees. 56

(B) The director of commerce shall make the summary 57  
described in this section available on the web site of the 58  
department of commerce. The director shall update this summary 59  
as necessary, but not less than annually, in order to reflect 60  
changes in the minimum wage rate as required under Section 34a 61  
of Article II, Ohio Constitution. Employees and employers shall 62  
be furnished copies of the summaries and rules by the state, on 63  
request, without charge. 64

**Sec. 4112.07.** Every person subject to division (A), (B), 65  
(C), (D), or (E) of section 4112.02 of the Revised Code shall 66  
post in a conspicuous place or places on his the person's 67  
premises, or on the internet in a manner that is accessible to 68  
the public, a notice to be prepared or approved by the 69  
commission that shall set forth excerpts of this chapter and 70  
other relevant information that the commission deems necessary 71  
to explain this chapter. 72

**Sec. 4115.07.** All contractors and subcontractors required 73  
by sections 4115.03 to 4115.16 of the Revised Code, and the 74  
action of any public authority to pay not less than the 75  
prevailing rate of wages shall make full payment of such wages 76

in legal tender, without any deduction for food, sleeping 77  
accommodations, transportation, use of small tools, or any other 78  
thing of any kind or description. This section does not apply 79  
where the employer and employee enter into an agreement in 80  
writing at the beginning of any term of employment covering 81  
deductions for food, sleeping accommodations, or other similar 82  
item, provided such agreement is submitted by the employer to 83  
the public authority fixing the rate of wages and is approved by 84  
such public authority as fair and reasonable. 85

All contractors or subcontractors falling within or 86  
affected by sections 4115.03 to 4115.16 of the Revised Code, 87  
shall keep full and accurate payroll records with respect to 88  
wages paid each employee and the number of hours worked by each 89  
employee, covering all disbursements of wages to their employees 90  
to whom they are required to pay not less than the prevailing 91  
rate of wages. Such payroll records shall be open to inspection 92  
by any authorized representative of the contracting public 93  
authority, including the prevailing wage coordinator or the 94  
director of commerce at any reasonable time and as often as may 95  
be necessary, and such records shall not be destroyed or removed 96  
from the state for the period of one year following the 97  
completion of the public improvement in connection with which 98  
the records are made. There shall be posted in a prominent and 99  
accessible place on the site of the work, or on the internet in 100  
a manner that is accessible to the contractor's or 101  
subcontractor's employees, a legible statement of the schedule 102  
of wage rates specified in the contract to the various 103  
classifications of laborers, workers, and mechanics employed, 104  
said statement to remain posted during the life of each 105  
contract. 106

Each contractor or subcontractor shall file with the 107

contracting public authority upon completion of the public 108  
improvement and prior to final payment therefor an affidavit 109  
stating that the contractor or subcontractor has fully complied 110  
with sections 4115.03 to 4115.16 of the Revised Code. 111

**Sec. 4123.54.** (A) Except as otherwise provided in this 112  
division or divisions (I) and (K) of this section, every 113  
employee, who is injured or who contracts an occupational 114  
disease, and the dependents of each employee who is killed, or 115  
dies as the result of an occupational disease contracted in the 116  
course of employment, wherever the injury has occurred or 117  
occupational disease has been contracted, is entitled to receive 118  
the compensation for loss sustained on account of the injury, 119  
occupational disease, or death, and the medical, nurse, and 120  
hospital services and medicines, and the amount of funeral 121  
expenses in case of death, as are provided by this chapter. The 122  
compensation and benefits shall be provided, as applicable, 123  
directly from the employee's self-insuring employer as provided 124  
in section 4123.35 of the Revised Code or from the state 125  
insurance fund. An employee or dependent is not entitled to 126  
receive compensation or benefits under this division if the 127  
employee's injury or occupational disease is either of the 128  
following: 129

(1) Purposely self-inflicted; 130

(2) Caused by the employee being intoxicated, under the 131  
influence of a controlled substance not prescribed by a 132  
physician, or under the influence of marihuana if being 133  
intoxicated, under the influence of a controlled substance not 134  
prescribed by a physician, or under the influence of marihuana 135  
was the proximate cause of the injury. 136

(B) For the purpose of this section, provided that an 137

employer has posted written notice to employees that the results 138  
of, or the employee's refusal to submit to, any chemical test 139  
described under this division may affect the employee's 140  
eligibility for compensation and benefits pursuant to this 141  
chapter and Chapter 4121. of the Revised Code, there is a 142  
rebuttable presumption that an employee is intoxicated, under 143  
the influence of a controlled substance not prescribed by the 144  
employee's physician, or under the influence of marihuana and 145  
that being intoxicated, under the influence of a controlled 146  
substance not prescribed by the employee's physician, or under 147  
the influence of marihuana is the proximate cause of an injury 148  
under either of the following conditions: 149

(1) When any one or more of the following is true: 150

(a) The employee, through a qualifying chemical test 151  
administered within eight hours of an injury, is determined to 152  
have an alcohol concentration level equal to or in excess of the 153  
levels established in divisions (A) (1) (b) to (i) of section 154  
4511.19 of the Revised Code. 155

(b) The employee, through a qualifying chemical test 156  
administered within thirty-two hours of an injury, is determined 157  
to have a controlled substance not prescribed by the employee's 158  
physician or marihuana in the employee's system at a level equal 159  
to or in excess of the cutoff concentration level for the 160  
particular substance as provided in section 40.87 of Title 49 of 161  
the Code of Federal Regulations, 49 C.F.R. 40.87, as amended. 162

(c) The employee, through a qualifying chemical test 163  
administered within thirty-two hours of an injury, is determined 164  
to have barbiturates, benzodiazepines, or methadone in the 165  
employee's system that tests above levels established by 166  
laboratories certified by the United States department of health 167

and human services.	168
(2) When the employee refuses to submit to a requested chemical test, on the condition that that employee is or was given notice that the refusal to submit to any chemical test described in division (B) (1) of this section may affect the employee's eligibility for compensation and benefits under this chapter and Chapter 4121. of the Revised Code.	169 170 171 172 173 174
(C) (1) For purposes of division (B) of this section, a chemical test is a qualifying chemical test if it is administered to an employee after an injury under at least one of the following conditions:	175 176 177 178
(a) When the employee's employer had reasonable cause to suspect that the employee may be intoxicated, under the influence of a controlled substance not prescribed by the employee's physician, or under the influence of marihuana;	179 180 181 182
(b) At the request of a police officer pursuant to section 4511.191 of the Revised Code, and not at the request of the employee's employer;	183 184 185
(c) At the request of a licensed physician who is not employed by the employee's employer, and not at the request of the employee's employer.	186 187 188
(2) As used in division (C) (1) (a) of this section, "reasonable cause" means, but is not limited to, evidence that 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:	189 190 191 192 193 194 195
(a) Observable phenomena, such as direct observation of	196

use, possession, or distribution of alcohol, a controlled 197  
substance, or marihuana, or of the physical symptoms of being 198  
under the influence of alcohol, a controlled substance, or 199  
marihuana, such as but not limited to slurred speech; dilated 200  
pupils; odor of alcohol, a controlled substance, or marihuana; 201  
changes in affect; or dynamic mood swings; 202

(b) A pattern of abnormal conduct, erratic or aberrant 203  
behavior, or deteriorating work performance such as frequent 204  
absenteeism, excessive tardiness, or recurrent accidents, that 205  
appears to be related to the use of alcohol, a controlled 206  
substance, or marihuana, and does not appear to be attributable 207  
to other factors; 208

(c) The identification of an employee as the focus of a 209  
criminal investigation into unauthorized possession, use, or 210  
trafficking of a controlled substance or marihuana; 211

(d) A report of use of alcohol, a controlled substance, or 212  
marihuana provided by a reliable and credible source; 213

(e) Repeated or flagrant violations of the safety or work 214  
rules of the employee's employer, that are determined by the 215  
employee's supervisor to pose a substantial risk of physical 216  
injury or property damage and that appear to be related to the 217  
use of alcohol, a controlled substance, or marihuana and that do 218  
not appear attributable to other factors. 219

(D) Nothing in this section shall be construed to affect 220  
the rights of an employer to test employees for alcohol or 221  
controlled substance abuse. 222

(E) For the purpose of this section, laboratories 223  
certified by the United States department of health and human 224  
services or laboratories that meet or exceed the standards of 225



that department for laboratory certification shall be used for 226  
processing the test results of a qualifying chemical test. 227

(F) The written notice required by division (B) of this 228  
section shall be the same size or larger than the proof of 229  
workers' compensation coverage furnished by the bureau of 230  
workers' compensation and shall be posted by the employer in the 231  
same location as the proof of workers' compensation coverage or 232  
the certificate of self-insurance. An employer may post the 233  
written notice required by division (B) of this section on the 234  
internet in a manner that is accessible to the employer's 235  
employees. 236

(G) If a condition that pre-existed an injury is 237  
substantially aggravated by the injury, and that substantial 238  
aggravation is documented by objective diagnostic findings, 239  
objective clinical findings, or objective test results, no 240  
compensation or benefits are payable because of the pre-existing 241  
condition once that condition has returned to a level that would 242  
have existed without the injury. 243

(H) (1) Whenever, with respect to an employee of an 244  
employer who is subject to and has complied with this chapter, 245  
there is possibility of conflict with respect to the application 246  
of workers' compensation laws because the contract of employment 247  
is entered into and all or some portion of the work is or is to 248  
be performed in a state or states other than Ohio, the employer 249  
and the employee may agree to be bound by the laws of this state 250  
or by the laws of some other state in which all or some portion 251  
of the work of the employee is to be performed. The agreement 252  
shall be in writing and shall be filed with the bureau of 253  
workers' compensation within ten days after it is executed and 254  
shall remain in force until terminated or modified by agreement 255

of the parties similarly filed. If the agreement is to be bound 256  
by the laws of this state and the employer has complied with 257  
this chapter, then the employee is entitled to compensation and 258  
benefits regardless of where the injury occurs or the disease is 259  
contracted and the rights of the employee and the employee's 260  
dependents under the laws of this state are the exclusive remedy 261  
against the employer on account of injury, disease, or death in 262  
the course of and arising out of the employee's employment. If 263  
the agreement is to be bound by the laws of another state and 264  
the employer has complied with the laws of that state, the 265  
rights of the employee and the employee's dependents under the 266  
laws of that state are the exclusive remedy against the employer 267  
on account of injury, disease, or death in the course of and 268  
arising out of the employee's employment without regard to the 269  
place where the injury was sustained or the disease contracted. 270  
If an employer and an employee enter into an agreement under 271  
this division, the fact that the employer and the employee 272  
entered into that agreement shall not be construed to change the 273  
status of an employee whose continued employment is subject to 274  
the will of the employer or the employee, unless the agreement 275  
contains a provision that expressly changes that status. 276

(2) If an employee or the employee's dependents receive an 277  
award of compensation or benefits under this chapter or Chapter 278  
4121., 4127., or 4131. of the Revised Code for the same injury, 279  
occupational disease, or death for which the employee or the 280  
employee's dependents previously pursued or otherwise elected to 281  
accept workers' compensation benefits and received a decision on 282  
the merits as defined in section 4123.542 of the Revised Code 283  
under the laws of another state or recovered damages under the 284  
laws of another state, the claim shall be disallowed and the 285  
administrator or any self-insuring employer, by any lawful 286

means, may collect from the employee or the employee's	287
dependents any of the following:	288
(a) The amount of compensation or benefits paid to or on	289
behalf of the employee or the employee's dependents by the	290
administrator or a self-insuring employer pursuant to this	291
chapter or Chapter 4121., 4127., or 4131. of the Revised Code	292
for that award;	293
(b) Any interest, attorney's fees, and costs the	294
administrator or the self-insuring employer incurs in collecting	295
that payment.	296
(3) If an employee or the employee's dependents receive an	297
award of compensation or benefits under this chapter or Chapter	298
4121., 4127., or 4131. of the Revised Code and subsequently	299
pursue or otherwise elect to accept workers' compensation	300
benefits or damages under the laws of another state for the same	301
injury, occupational disease, or death the claim under this	302
chapter or Chapter 4121., 4127., or 4131. of the Revised Code	303
shall be disallowed. The administrator or a self-insuring	304
employer, by any lawful means, may collect from the employee or	305
the employee's dependents or other-states' insurer any of the	306
following:	307
(a) The amount of compensation or benefits paid to or on	308
behalf of the employee or the employee's dependents by the	309
administrator or the self-insuring employer pursuant to this	310
chapter or Chapter 4121., 4127., or 4131. of the Revised Code	311
for that award;	312
(b) Any interest, costs, and attorney's fees the	313
administrator or the self-insuring employer incurs in collecting	314
that payment;	315

(c) Any costs incurred by an employer in contesting or 316  
responding to any claim filed by the employee or the employee's 317  
dependents for the same injury, occupational disease, or death 318  
that was filed after the original claim for which the employee 319  
or the employee's dependents received a decision on the merits 320  
as described in section 4123.542 of the Revised Code. 321

(4) If the employee's employer pays premiums into the 322  
state insurance fund, the administrator shall not charge the 323  
amount of compensation or benefits the administrator collects 324  
pursuant to division (H) (2) or (3) of this section to the 325  
employer's experience. If the administrator collects any costs 326  
incurred by an employer in contesting or responding to any claim 327  
pursuant to division (H) (2) or (3) of this section, the 328  
administrator shall forward the amount collected to that 329  
employer. If the employee's employer is a self-insuring 330  
employer, the self-insuring employer shall deduct the amount of 331  
compensation or benefits the self-insuring employer collects 332  
pursuant to this division from the paid compensation the self- 333  
insuring employer reports to the administrator under division 334  
(L) of section 4123.35 of the Revised Code. 335

(5) If an employee is a resident of a state other than 336  
this state and is insured under the workers' compensation law or 337  
similar laws of a state other than this state, the employee and 338  
the employee's dependents are not entitled to receive 339  
compensation or benefits under this chapter, on account of 340  
injury, disease, or death arising out of or in the course of 341  
employment while temporarily within this state, and the rights 342  
of the employee and the employee's dependents under the laws of 343  
the other state are the exclusive remedy against the employer on 344  
account of the injury, disease, or death. 345

(6) An employee, or the dependent of an employee, who 346  
elects to receive compensation and benefits under this chapter 347  
or Chapter 4121., 4127., or 4131. of the Revised Code for a 348  
claim may not receive compensation and benefits under the 349  
workers' compensation laws of any state other than this state 350  
for that same claim. For each claim submitted by or on behalf of 351  
an employee, the administrator or, if the employee is employed 352  
by a self-insuring employer, the self-insuring employer, shall 353  
request the employee or the employee's dependent to sign an 354  
election that affirms the employee's or employee's dependent's 355  
acceptance of electing to receive compensation and benefits 356  
under this chapter or Chapter 4121., 4127., or 4131. of the 357  
Revised Code for that claim that also affirmatively waives and 358  
releases the employee's or the employee's dependent's right to 359  
file for and receive compensation and benefits under the laws of 360  
any state other than this state for that claim. The employee or 361  
employee's dependent shall sign the election form within twenty- 362  
eight days after the administrator or self-insuring employer 363  
submits the request or the administrator or self-insuring 364  
employer shall dismiss that claim. 365

In the event a workers' compensation claim has been filed 366  
in another jurisdiction on behalf of an employee or the 367  
dependents of an employee, and the employee or dependents 368  
subsequently elect to receive compensation, benefits, or both 369  
under this chapter or Chapter 4121., 4127., or 4131. of the 370  
Revised Code, the employee or dependent shall withdraw or refuse 371  
acceptance of the workers' compensation claim filed in the other 372  
jurisdiction in order to pursue compensation or benefits under 373  
the laws of this state. If the employee or dependents were 374  
awarded workers' compensation benefits or had recovered damages 375  
under the laws of the other state, any compensation and benefits 376

awarded under this chapter or Chapter 4121., 4127., or 4131. of 377  
the Revised Code shall be paid only to the extent to which those 378  
payments exceed the amounts paid under the laws of the other 379  
state. If the employee or dependent fails to withdraw or to 380  
refuse acceptance of the workers' compensation claim in the 381  
other jurisdiction within twenty-eight days after a request made 382  
by the administrator or a self-insuring employer, the 383  
administrator or self-insuring employer shall dismiss the 384  
employee's or employee's dependents' claim made in this state. 385

(I) If an employee who is covered under the federal 386  
"Longshore and Harbor Workers' Compensation Act," 98 Stat. 1639, 387  
33 U.S.C. 901 et seq., is injured or contracts an occupational 388  
disease or dies as a result of an injury or occupational 389  
disease, and if that employee's or that employee's dependents' 390  
claim for compensation or benefits for that injury, occupational 391  
disease, or death is subject to the jurisdiction of that act, 392  
the employee or the employee's dependents are not entitled to 393  
apply for and shall not receive compensation or benefits under 394  
this chapter and Chapter 4121. of the Revised Code. The rights 395  
of such an employee and the employee's dependents under the 396  
federal "Longshore and Harbor Workers' Compensation Act," 98 397  
Stat. 1639, 33 U.S.C. 901 et seq., are the exclusive remedy 398  
against the employer for that injury, occupational disease, or 399  
death. 400

(J) Compensation or benefits are not payable to a claimant 401  
or a dependent during the period of confinement of the claimant 402  
or dependent in any state or federal correctional institution, 403  
or in any county jail in lieu of incarceration in a state or 404  
federal correctional institution, whether in this or any other 405  
state for conviction of violation of any state or federal 406  
criminal law. 407

(K) An employer, upon the approval of the administrator, 408  
may provide for workers' compensation coverage for the 409  
employer's employees who are professional athletes and coaches 410  
by submitting to the administrator proof of coverage under a 411  
league policy issued under the laws of another state under 412  
either of the following circumstances: 413

(1) The employer administers the payroll and workers' 414  
compensation insurance for a professional sports team subject to 415  
a collective bargaining agreement, and the collective bargaining 416  
agreement provides for the uniform administration of workers' 417  
compensation benefits and compensation for professional 418  
athletes. 419

(2) The employer is a professional sports league, or is a 420  
member team of a professional sports league, and all of the 421  
following apply: 422

(a) The professional sports league operates as a single 423  
entity, whereby all of the players and coaches of the sports 424  
league are employees of the sports league and not of the 425  
individual member teams. 426

(b) The professional sports league at all times maintains 427  
workers' compensation insurance that provides coverage for the 428  
players and coaches of the sports league. 429

(c) Each individual member team of the professional sports 430  
league, pursuant to the organizational or operating documents of 431  
the sports league, is obligated to the sports league to pay to 432  
the sports league any workers' compensation claims that are not 433  
covered by the workers' compensation insurance maintained by the 434  
sports league. 435

If the administrator approves the employer's proof of 436

coverage submitted under division (K) of this section, a 437  
professional athlete or coach who is an employee of the employer 438  
and the dependents of the professional athlete or coach are not 439  
entitled to apply for and shall not receive compensation or 440  
benefits under this chapter and Chapter 4121. of the Revised 441  
Code. The rights of such an athlete or coach and the dependents 442  
of such an athlete or coach under the laws of the state where 443  
the policy was issued are the exclusive remedy against the 444  
employer for the athlete or coach if the athlete or coach 445  
suffers an injury or contracts an occupational disease in the 446  
course of employment, or for the dependents of the athlete or 447  
the coach if the athlete or coach is killed as a result of an 448  
injury or dies as a result of an occupational disease, 449  
regardless of the location where the injury was suffered or the 450  
occupational disease was contracted. 451

**Sec. 4123.83.** Each employer paying premiums into the state 452  
insurance fund or electing directly to pay compensation to the 453  
employer's injured employees or the dependents of the employer's 454  
killed employees as provided in section 4123.35 of the Revised 455  
Code, shall post ~~conspicuously in the employer's place or places~~ 456  
~~of employment~~ notices, which shall be furnished at least 457  
annually by the bureau of workers' compensation. The employer 458  
shall post the notice conspicuously in the employer's place or 459  
places of employment or on the internet in a manner that is 460  
accessible to the employer's employees. The notice shall state 461  
that it is proof of workers' compensation coverage, or that the 462  
employer has complied with section 4123.35 of the Revised Code 463  
and has been authorized by the administrator of workers' 464  
compensation directly to compensate employees or dependents, and 465  
the date of the authorization. The notice shall indicate that 466  
coverage is contingent on continued payment of premiums and 467



assessments due. The notice, when posted, constitutes sufficient 468  
notice to the employer's employees of the fact that the employer 469  
carries workers' compensation coverage or that the employer has 470  
complied with the elective provisions of section 4123.35 of the 471  
Revised Code. 472

**Sec. 4167.11.** (A) In order to further the purposes of this 473  
chapter, the administrator of workers' compensation shall 474  
develop and maintain, for public employers and public employees, 475  
an effective program of collection, compilation, and analysis of 476  
employment risk reduction statistics. 477

(B) To implement and maintain division (A) of this 478  
section, the administrator, with the advice and consent of the 479  
bureau of workers' compensation board of directors, shall adopt 480  
rules in accordance with Chapter 119. of the Revised Code that 481  
extend to all of the following: 482

(1) Requiring each public employer to make, keep, and 483  
preserve, and make available to the administrator, reports and 484  
records regarding the public employer's activities, as 485  
determined by the rule that are necessary or appropriate for the 486  
enforcement of this chapter or for developing information 487  
regarding the causes and prevention of occupational accidents 488  
and illnesses. The rule shall prescribe which of these reports 489  
and records shall or may be furnished to public employees and 490  
public employee representatives. 491

(2) Requiring every public employer, through posting of 492  
notices or other appropriate means, to keep their public 493  
employees informed of public employees' rights and obligations 494  
under this chapter, including the provisions of applicable Ohio 495  
employment risk reduction standards~~†~~. The rule shall allow any 496  
required notice to be posted on the internet in a manner that is 497

accessible to the public employer's employees. 498

(3) Requiring public employers to maintain accurate 499  
records of public employee exposure to potentially toxic 500  
materials, carcinogenic materials, and harmful physical agents 501  
that are required to be monitored or measured under rules 502  
adopted under the guidelines of division (C) of section 4167.07 503  
of the Revised Code. The rule shall provide public employees or 504  
public employee representatives an opportunity to observe the 505  
monitoring or measuring, and to have access on request to the 506  
records thereof, and may provide public employees or public 507  
employee representatives an opportunity to participate in and to 508  
undertake their own monitoring or measuring. The rules also 509  
shall permit each current or former public employee to have 510  
access to the records that indicate their own exposure to toxic 511  
materials, carcinogenic materials, or harmful agents. 512

(C) The administrator shall obtain any information under 513  
division (B) of this section with a minimum burden upon the 514  
public employer and shall, to the maximum extent feasible, 515  
reduce unnecessary duplication of efforts in obtaining the 516  
information. 517

**Section 2.** That existing sections 4109.08, 4111.09, 518  
4112.07, 4115.07, 4123.54, 4123.83, and 4167.11 of the Revised 519  
Code are hereby repealed. 520