



## Ohio Administrative Code

### Rule 123:1-29-03 Review of performance evaluation by director of administrative services.

Effective: April 5, 1999

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(A) Upon the employee's written request, the director may review the annual performance evaluation of a state employee who is exempt from collective bargaining. The director shall not review performance evaluations of employees of the state colleges and universities or county offices. An employee must request a review within fifteen days from the date of disposition of the internal review by the employee's appointing authority. An employee shall not be entitled to a review by the director until he or she has exhausted all available internal review procedures of the employing agency.

(B) The director may review a performance evaluation, whether or not an employee has so requested, when the director has reason to believe that a review is justified.

(C) Following completion of the review, the director may order:

- (1) That the evaluation stand unaltered,
- (2) That all or part of the evaluation be expunged from the employee's personnel file,
- (3) That individual ratings be raised or lowered, or
- (4) Any other appropriate remedy.

(D) The director shall not alter or expunge a performance evaluation unless the employee establishes by a preponderance of the evidence:

- (1) That the rater, reviewer, or appointing authority abused his or her discretion, producing an inaccurate, unfair, or prejudicial evaluation, or
- (2) That the employing agency failed to substantially comply with these rules or with the agency's



internal procedures in completing or reviewing the performance evaluation.

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