



Ohio Administrative Code Rule 123:2-5-04 Conciliation agreement.

Effective: September 9, 1995

(A) Upon completion of the compliance review, a meeting shall be scheduled with the contractor or subcontractor to review the findings of the compliance review and to initiate any necessary conciliation efforts. A written account of the discussion and any conciliation agreement shall be provided to the contractor or subcontractor.

(B) Where the contractor or subcontractor disagrees with the findings of the compliance review or is unable to comply with the conciliation agreement, further meetings shall be scheduled at the request of the contractor or subcontractor. The contracting agency shall notify the director of administrative services of all attempts for conciliation, including scheduled meetings.

(C) A conciliation agreement shall include the contractor's or subcontractor's specific commitment, in writing, to correct any deficiencies found during the compliance review. The commitment must include the action to be taken and the target dates for accomplishment. The time allotted shall be no longer than the minimum period necessary to correct such deficiencies. Upon approval of the director of administrative services, the contractor or subcontractor may be considered responsive and responsible to the requirements of Chapters 123:2-3 through 123:2-9 of the Administrative Code, on condition that the contractor or subcontractor implements and enforces the commitments of the conciliation agreement.

(D) Where a compliance review indicates that a contractor or subcontractor may not be exerting good faith efforts to accomplish the goals of an affirmative action program and a conciliation agreement can not be reached, the director of administrative services shall provide the contractor or subcontractor with an opportunity for an adjudication hearing, in conformity with Chapter 119. of the Revised Code.
