



Ohio Administrative Code Rule 4117-1-02 Filing and copies; service.

Effective: October 25, 2010

(A) Definitions:

(1) Electronic filing-the electronic transmission of information to a designated email address of the state employment relations board for case processing.

(2) Time of filing-an electronic document is filed when it is received by the designated email address of the state employment relations board on or before five p.m. on a business day; electronic filings received by the designated email address of the board after five p.m. on a business day or on a Saturday, Sunday, legal holiday shall be considered filed on the next business day.

(3) Service-the delivery of a writ, summons, complaint, or other notice or order by an authorized server upon another, provides official notification that a legal action or proceeding against a party has been commenced or filed.

(4) Electronic mail-messages sent and received through an electronic service system utilizing the public internet.

(5) Filer-person who filed an electronic document.

(B) Under this chapter all documents shall be filed electronically in a read-only format except for:

(1) Unfair labor practice charges;

(2) Requests for recognition with showing of interest;

(3) Petitions for representation election with showing of interest; and

(4) Petitions for decertification election with showing of interest.



Paper documents shall include an original plus one copy. No paper copies shall be filed with documents filed electronically.

Parties may electronically serve a document on other parties of record. Electronic service made after five p.m. on a business day or on a Saturday, Sunday, or legal holiday shall be considered complete on the next business day. The proof of service of a document served by electronic filing shall state the email address of the person to whom the document was transmitted and both the date and time of the transmission; otherwise, all documents not served electronically shall include proof of service to the other parties to the proceeding or their representatives. Proof of service shall be signed and shall include the address to which the document is delivered, the manner of delivery, and the date of mailing or, if service is not by mail, the date of actual delivery or an acknowledgment of receipt signed by the recipient. Service may be made by mail or by personal service including hand delivery or by leaving a copy at the principal office or personal residence of the party or representative required to be served. Service by mail shall be deemed complete upon mailing. Such documents shall not be accepted for filing unless they contain proof of service signed by the party or the party's representative. Documents for which confidentiality is requested pursuant to paragraph (G) of this rule need not contain proof of service.

(C) Every document to be filed with the state employment relations board shall be transmitted in format and manner that can be read and downloaded by electronic equipment then in use by the board. All documents filed with the board shall be formatted as follows: double spaced on eight-and-one-half-inch by eleven-inch paper with one-inch margins, in type face no smaller than eleven points, and no more than fifteen pages in length unless prior authorization is received from the board, board member, administrative law judge, executive director, or the office of the general counsel. All documents filed with the board shall have numbered pages, and shall contain the caption of the case, the case number, and a title including the name of the party on whose behalf the document was filed. All case captions shall be submitted in the following format: four-digit year, dash, three-letter case-type designation, dash, two-digit month, dash, four-digit sequential case number assigned by the board. Documents filed with the board concerning a case assigned to a board member or administrative law judge shall state the name of the board member or administrative law judge in the caption.



(D) All electronic filings shall contain an electronic signature or an /s/ notation followed by the name of the filer, mailing address, telephone number, and email address. Parties shall update any change of their contact information promptly.

(E) The state employment relations board has discretion to waive technical defects in any document filed with the board if no undue prejudice would result.

(F) Any party who lacks the technological capability to comply with this rule must file a written motion for relief from the electronic-filing requirements at the time the party makes its initial appearance in a matter; within said motion, a party shall show good cause why it is not feasible to file electronically.

(G) An individual submitting information may request in writing that affidavits or other investigatory materials be kept confidential. Documents for which confidentiality is requested shall be filed with a written request that confidentiality be maintained. Documents submitted pursuant to a state employment relations board agent's request in the course of an investigation and for which confidentiality is promised shall automatically be kept confidential. Substantial evidence and showings of interest submitted in accordance with rules 4117-3-03 and 4117-5-02 of the Administrative Code will automatically be kept confidential.