



Ohio Administrative Code

Rule 4117-13-06 Request for board determination of a clear and present danger to the public health or safety.

Effective: May 18, 1987

(A) When a court of common pleas has issued a temporary restraining order enjoining a strike and has found probable cause to believe that it poses a clear and present danger to the public health or safety, an employer shall file with the board a written request for a determination of whether the strike in fact poses a clear and present danger.

(B) Copies of the temporary restraining order and the motion for temporary restraining order must be attached to the request. The request shall state:

- (1) The name and address of the employer;
- (2) The name and address of the exclusive representative of any employees involved in the strike;
- (3) The name and address of any other employee organization participating in the strike in any manner, if known;
- (4) The names and addresses, if known, and job classifications or functions of the striking employees;
- (5) The date the strike commenced;
- (6) The approximate number of employees on strike and the nature of the strike activity involved;
- (7) A brief statement of why the strike poses a clear and present danger to the public health or safety;
and
- (8) Proof of service pursuant to paragraph (B) of rule 4117-1-02 of the Administrative Code to the employee organization or employee organizations representing the striking employees.



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(C) In the case of a wildcat strike or a strike by unorganized employees, the employer shall post copies of the request in conspicuous locations where employees will be reasonably apprised of the contents.

(D) Immediately upon receipt of the request, the employee organization may file with the board and serve on the employer a brief written response to the employer's request.