



Ohio Administrative Code

Rule 4117-13-07 Procedures in determining whether strike creates clear and present danger.

Effective: January 2, 2005

(A) Prior to expiration of the temporary restraining order, the board shall determine whether the strike creates a clear and present danger to the health or safety of the public. The board shall follow procedures to reach a determination, including, but not limited to, evidential hearings, oral argument, and investigation. The board shall issue and certify to the appropriate court of common pleas a written summary of its findings and determination.

(B) If the board determines that a strike creates a clear and present danger to the public health or safety and a court has ordered the strike further enjoined, the employer and the employee organization or employee organizations representing the striking employees shall immediately engage in collective bargaining with the assistance of a board-appointed mediator.

(C) The mediator, at his or her discretion, may require that the parties bargain in private.

(D) After forty-five days of collective bargaining, if no agreement has been reached, the mediator may make public a report stating the current positions of the parties and the efforts that have been made for settlement. The report shall include a statement by each party of its position and its offers of settlement.
