



## Ohio Administrative Code

### Rule 4146-13-01 Appeals, applications for appeal and requests for review; beginning of appeal period.

Effective: August 17, 2015

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An application for appeal to a director's decision under division (C) of section 4141.283 of the Revised Code or a request for review from a hearing officer's decision, must be filed not later than twenty-one calendar days after a copy of the decision appealed from is sent by electronic means or mailed to the party. Appeals in cases under Chapter 4146-23 of the Administrative Code must be filed not later than thirty calendar days after a copy of the decision appealed from is sent or mailed to the party. Notice of appeal, an application for appeal or a request for review to the review commission may be either mailed, delivered, or filed through the use of a facsimile device or other electronic means. If filed by facsimile device or other electronic means it must be received by midnight of the last day of the appeal period. If notice of appeal, an application for appeal or a request for review is mailed, it must be postmarked before midnight of the last day of the appeal period; if delivered, it must be received before the closing time of the office on the last day of the appeal period. The appeal, application for appeal, or request for review, may be filed with the review commission, director one of the director's deputies, with an employee of another state or federal agency or with an employee of the unemployment commission of Canada, charged with the duty of accepting claims. In computing the period of time within which an interested party may file an appeal, an application for appeal or a request for review, within a limited number of days specified in agency 4146 of the Administrative Code, such period shall begin at one minute after twelve a.m. on the day next following the date on which the decision is sent or mailed to the party and shall extend for the number of days specified in this paragraph. The time for filing an appeal, a request for review or an application for appeal under this rule shall be extended as follows:

(A) When the last day of the period of appeal referred to above falls on a Saturday, Sunday, or on a legal holiday, the period shall extend to and include the next day which is not a Saturday, Sunday or a legal holiday.

(B) When an interested party provides certified medical evidence stating that the interested party's physical condition or mental capacity prevented the interested party from filing a appeal or request for review within the appropriate twenty-one day period, the appeal period is extended to twenty-one



days after the end of the physical or mental condition and the appeal, or request for review is considered timely filed if filed within that extended period;

(C) When an interested party provides evidence, which evidence may consist of testimony from the interested party, that is sufficient to establish that the party did not actually receive the determination or decision within the applicable appeal period, and the director or the commission finds that the interested party did not actually receive the determination or decision within the applicable appeal period, then the appeal period is extended to twenty-one days after the interested party actually receives the determination or decision.

(D) Date of decision.

The date of sending set forth on the decision being appealed shall be sufficient evidence of the date of the decision was sent or mailed.

(E) When appeal, application for appeal or request for review, deemed to be filed.

An appeal, application for appeal or a request for review, shall be deemed to be filed with the review commission on the date of receipt, where delivered to the director the review commission or to any of the agencies or employees designated in this rule, by the party themselves, or the party's representative. Filing shall be deemed to be completed on the postmarked date appearing on the enclosing envelope where filing is by mail and the appeal or request for review is received by the director or review commission. Where filing is by facsimile device or other electronic means, filing shall be deemed completed when the facsimile or other electronic transmission is received.