

TIME FRAMES

R98-1-01

Waiver of Time Frames for State of Emergency or Disaster

January 7, 1998

WHEREAS, R.C. 4123.511(O) provides that upon application of a party who resides in an area in which an emergency or disaster is publicly declared by the Governor of the State of Ohio or the President of the United States, the Industrial Commission and Hearing Officers of the Commission may waive the time frame within which claims and appeals of claims set forth in R.C. 4123.511 must be filed upon a finding that the applicant was unable to comply with a filing deadline due to an emergency or a disaster; and

WHEREAS, R.C. 4123.511(O) defines "emergency" and "disaster," and

WHEREAS, certain questions have arisen regarding the application of R.C. 4123.511(O); and

THEREFORE BE IT RESOLVED that upon application of a party for relief under R.C. 4123.511(O), a Hearing Officer is to determine whether the requesting party was unable to comply with the filing time frames of R.C. 4123.511 due to the existence of an emergency or disaster as described in R.C. 4123.511(O). If the Hearing Officer finds that a party was unable to comply with the filing deadlines set forth within R.C. 4123.511 due to an emergency or disaster as described in R.C. 4123.511(O), the Hearing Officer shall waive the time frames of R.C. 4123.511 within which a claim or an appeal of a claim must be filed.

BE IT FURTHER RESOLVED that the party that makes application for relief under R.C. 4123.511(O) shall make application for such relief no later than 30 days after the termination of the state of emergency or disaster as described within R.C. 4123.511(O) that the party asserts caused the party to be unable to comply with the filing time frames of R.C. 4123.511.

Modification

This resolution was modified to correct citations and is effective on September 26, 2018.