



Ohio Administrative Code

Rule 123:1-23-03 Inter-agency and intra-agency promotion; probationary period; removal or demotion.

Effective: December 4, 2011

(A) Definitions. For purposes of this rule, "inter-agency promotion" means the act of promoting an employee from one department to another department with a different over-all appointing authority. "Intra-agency promotion" means the act of promoting an employee from one position to another within the same department or over-all appointing authority.

(B) Probationary period. All promotions shall be for a probationary period established in Chapter 123:1-19 of the Administrative Code.

(C) Inter-agency promotion. If an employee accepts an inter-agency promotion and is found to be unsatisfactory in the advanced position, the receiving agency may remove the employee or may demote the employee to a position within the receiving agency that is the same or similar to the position the employee held at the releasing agency prior to promotion. The employee has no right to resume a position with the releasing agency.

(D) Intra-agency promotion. If an employee accepts an intra-agency promotion and is found to be unsatisfactory in the advanced position, the employee shall be demoted to the position from which the employee was promoted or to a similar position. Upon such demotion, the employee's salary shall be the same that the employee was receiving prior to promotion, except for changes in pay range that may have occurred or any step increase to which the employee would have been entitled in the lower classification.

If an employee takes a civil service examination for a classification having a higher base pay range than the employee holds at the time of the examination and is appointed from the resulting eligible list to a position in the same agency, this action shall be considered a promotion so far as the probationary period is concerned, and the employee shall be demoted in accordance with this rule if the employee's services are found unsatisfactory.

(E) Right to appeal. Pursuant to section 124.27 of the Revised Code, a probationary employee duly



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removed for unsatisfactory service does not have a right to appeal the removal or reduction under section 124.34 of the Revised Code.