

FILED

The Supreme Court of Ohio

JUN 08 2011

CLERK OF COURT
SUPREME COURT OF OHIO

Keith Lawrence

Case No. 2011-0621

v.

ENTRY

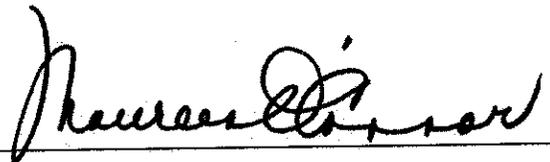
City of Youngstown

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Mahoning County. On review of the order certifying a conflict, it is determined that a conflict exists. The parties are to brief the issue stated at page 4 of the court of appeals' Judgment Entry filed April 8, 2011, as follows:

"R.C. 4123.90 requires the action to be filed within one hundred eighty days 'immediately following the discharge, demotion, reassignment, or punitive action taken' and requires the employer to receive written notice for the claimed violation within ninety days 'immediately following the discharge, demotion, reassignment, or punitive action taken.' Does the quoted portion of the statute mean the time limits begin to run on the effective date of the discharge or when considering R.C. 4123.95's directive for liberal construction does R.C. 4123.90 mean the time limits begin to run upon receiving notice of the discharge?"

It is ordered by the Court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Mahoning County.

(Mahoning County Court of Appeals; No. 09MA189)



Maureen O'Connor
Chief Justice