

Code/Rule	Exempt Parity Provisions		
	Ohio Revised Code	Effective Date	Contract Language
<p>RC 124.134 Vacation leave for employees exempt from collective bargaining law</p>	<ol style="list-style-type: none"> 1. Eliminates the five-year vacation dump on August 30, 2009 and provides that employees will now start accruing vacation leave at the higher rate when they begin their fourth, ninth, fourteenth, nineteenth, and twenty-four year of service. 2. Allows an employee to begin using accrued vacation leave upon completion of the employee's initial probation period and specifies that a probationary period that follows a separation from service that is less than 31 days is not considered an "initial probationary period." 3. Freezes payment for denied vacation leave in FY 2010 and FY 2011. 4. Beginning in FY 2012, allows an employee to receive payment for up to 80 hours of denied vacation leave if the employee requested and was denied the use of vacation leave during that fiscal year. 	<p>HB 1 (8/30/09) (#1) -- HB 1 (7/17/09) (#2-4)</p>	<p>Article 28</p>
<p>RC 124.15 Pay Ranges; schedule of rates; administration</p>	<ol style="list-style-type: none"> 5. Intermittent employees are not eligible for step increases. 6. Freezes step increases from June 21, 2009 through June 20, 2011. Elected officials can opt out. No probationary step if employee is hired/promoted/reassigned during the freeze. 	<p>HB 16 (7/1/09)</p>	<p>Article 7.03 Article 36</p>
<p>RC 124.152 Pay range and schedule for employees exempt from collective bargaining law; exceptions</p>	<ol style="list-style-type: none"> 7. Provides for no general wage increase. 8. Deletes the old and outdated wage tables. 	<p>HB 1 (7/17/09)</p>	<p>Article 36 Appendix L</p>
<p>RC 124.18 Standard work week; overtime pay; compensatory time off</p>	<ol style="list-style-type: none"> 9. Extends timeframe for which compensatory time earned must be used by employees from 180 days to 365 days. 10. Entitles part-time employees to four hours of holiday pay beginning July 1, 2011 11. Modifies the holiday pay forfeiture for sick call-offs only applies to New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, and Christmas Day. 12. Provides that if an employee works a shift between his/her scheduled shift before or after the holiday, the employee doesn't forfeit his/her holiday pay. 13. Clarifies that employees on cost savings programs will not lose holiday pay for not being in active pay status on the day before a holiday 	<p>HB 16 (7/1/09)</p>	<p>Article 13 Article 26.04</p>
<p>RC 124.181 Pay supplements; computation</p>	<ol style="list-style-type: none"> 14. Provides that intermittent employees are not eligible for longevity or any supplement received by permanent employees 	<p>HB 16 (7/1/09)</p>	<p>Article 7.03</p>

Code/Rule	Exempt Parity Provisions		
RC 124.183 Pay supplements for employees exempt from collective bargaining; exemptions	15. Provides a lump sum payment equivalent to 32 hours of personal leave in the earnings statement the employee receives on August 26, 2011 16. Provides that the lump sump payment will also be provided to fire fighters of the adjutant general's office who experienced a loss of personal leave during the moratorium	HB 1 (7/17/09)	Article 27
RC 124.27 Appointments, Certification, Probationary Period	17. Employees in intermittent positions shall not serve a probationary period.	HB 1 (7/17/09)	Article 7.03
RC 124.34 Reduction in pay or position; suspension; removal	18. Sets forth that ORC 124.34 does not apply to loss of pay associated with Cost Savings Program in RC 124.392. 19. Corrects language in (B) so that a 124.34 order is required and appeal rights are triggered only for "suspensions of more than 40 work hours" instead of suspensions of "40 hours or more."	HB 16 (7/1/09)	NA
RC 124.381 Injury Pay	20. Allows for DAS to establish a salary continuation program through Administrative Rules not to exceed 480 hours per claim. 21. Provides that OIL shall not exceed 960 hours per OIL claim 22. Allows that if an employee's OIL claim is denied but their Workers' Compensation claim is still pending they may be eligible for salary continuation under Article 34	HB 1 (7/17/09) Effective upon development of Admin Rules (approx Nov 09)	Article 34 Appendix K
RC 124.382 Definitions; sick leave for state employees	23. Provides for a 32 hour sick leave credit for FT employees in the pay period including July 1, 2011 24. Provides for a 16 hour sick leave credit for PT employees in the pay period including July 1, 2011 25. Provides that the sick leave credit will also be provided to fire fighters of the adjutant general's office who experienced a loss of personal leave during the moratorium	HB 1 (7/17/09)	Article 27
RC 124.385 Disability Leave Benefits	26. Adds language to allow employees to supplement their disability leave benefits with comp time. 27. Provides that while an employee is on disability leave, the employee is responsible for paying the employee's share of retirement contributions for the entire 12 months.	HB 16 (7/1/09) (#25) -- HB 1 (7/17/09) (#26)	NA

Code/Rule	Exempt Parity Provisions		
RC 124.386 Personal leave for state employees exempt from collective bargaining	28. Freezes personal leave accrual from December 2009 until December 2011. 29. Freezes annual conversion of personal leave until December 2011.	HB 1 (7/17/09)	Article 27
RC 124.392 Voluntary cost savings program	30. Requires employees to take ten days off without pay (cost savings days) in each fiscal year beginning July 1, 2009 and ending on June 30, 2011. 31. After the two years are complete, there may be additional mandatory cost savings days when a fiscal emergency is declared by the Governor through OBM. 32. Freezes part-time employees' holiday pay from July 1, 2009 through June 30, 2011. 33. Provides that cost savings days shall be used as an offset in determining unemployment compensation.	HB 16 (7/1/09) (#29-31) -- HB 1 (7/17/09) (#32)	Article 36
RC 126.05	34. Amends the furlough language to match the new "cost savings" terminology.	HB 16 (7/1/09)	Article 36

Code/Rule	Exempt Parity Provisions			
	Ohio Administrative Code	Code	Effective Date	Contract Language
AC 123:1-19-04 Probationary period for part-time or intermittent workers	1. Provides that intermittent employees do not serve a probationary period.	§124.27	Oct 2009	Article 7
AC 123:1-30-06 Disability leave benefits for an employee given a disability separation	2. Clarifies that employees who are disability separated are no longer eligible for OIL or salary continuation benefits.	§124.381	7/1/09	Article 34 Appendix K
AC 123:1-32-01 Availability and charge of sick leave, vacation leave, and personal leave and compensation for sick leave	3. Allows sick leave to be paid at 100% when used in the second week for any time spent in outpatient surgery or any time used contiguous to outpatient surgery 4. Adds that sick leave requested at least 30 days in advance for prescheduled medical appointments may be supplemented at the employee's request to 100% of pay with available sick leave balances provided that a doctor's statement is submitted on the first day the employee returns to work following the absence.	§124.382	7/1/09	Article 29
AC 123:1-33-01 Eligibility for disability leave benefits	5. Makes a minor grammatical change to paragraph (C).	§124.385	Oct 2009	NA
AC 123:1-33-02 Application for disability leave benefits	6. Provides correct cross-references for disability separation language. 7. Makes minor grammatical changes to paragraph (D).	§124.385	Oct 2009	NA
AC 123:1-33-03 Conditions precluding receipt of disability leave benefits	8. Makes minor grammatical changes to sections (A)(1)(d) and (A)(6)	§124.385	Oct 2009	NA

Code/Rule	Exempt Parity Provisions			
AC 123:1-33-05 Payment of Disability Leave Benefits	9. Provides that disability benefits will be paid at 67% of the employee's base rate of pay. 10. Adds language to allow employees to supplement their disability leave with compensatory time.	§124.385	7/1/09	Article 35
AC 123:1-33-06 Length of Eligibility	11. Makes a minor typographical change in paragraph (C).	§124.385	Oct 2009	NA
AC 123:1-33-07 Transitional or partial return to work	12. Extends the availability of a transitional or partial return to work program to employees who receive service connected injury benefits.	§124.381	Oct 2009	Article 34 Appendix K
AC 123:1-33-08 Subsequent Disability	13. Updated to reflect the difference between subsequent disability claims and new disability claims for purposes of determining whether the claim should be paid at 67% of the employee's base rate of pay.	§124.385	7/1/09	Article 35
AC 123:1-33-17 Occupational Injury Leave	14. Provides that if a Workers' Compensation claim is denied or the employee is disqualified from receiving Workers' Compensation benefits, the employee must substitute the use of paid sick, vacation, or personal leave, or repay the Employer any salary continuation received. 15. Establishes an approved physician's list for the purposes of diagnosing occupational injuries 16. Provides that OIL shall not exceed 960 hours per OIL claim 17. Allows that if an employee's OIL claim is denied but their Workers' Compensation claim is still pending, they may be eligible for salary continuation. 18. Provides for an appeal process for the denial of an OIL claim	§124.381	Oct 2009	Article 34 Appendix K

Code/Rule	Exempt Parity Provisions			
AC 123:1-34-10 Voluntary Cost Savings Program	19. Provides that time spent on leave on a VCS program shall count toward the employee's continue service time for the purpose of eligibility for dental, vision and life benefits 20. Clarifies that if an employee takes leave pursuant to a VCS program on a day that is contiguous to a holiday, the employee shall not forfeit their holiday pay. 21. Provides that an employee's leave accruals shall not be impacted by the employee's participation in a VCS program.	§124.392	7/1/09	Appendix R Article 36.11 Article 26
AC 123:1-34-11 Mandatory Cost Savings Program	22. Establishes the parameters and protocols for the mandatory cost savings program that will be in effect for fiscal years 2010 and 2011. This entails either a 10-day reduction in pay with corresponding time off or a 10-day reduction in pay by not paying certain employees for holidays.	§124.392	7/1/09	Article 36
AC 123:1-43-01 Overtime	23. Clarifies that employees who do not accrue leave may not elect to take compensatory time off in lieu of overtime pay for those hours over 40 hr/wk that they work.	§124.18	7/1/09	Article 7
AC 123:1-43-02 Compensatory time	24. Provides that employees have 365 days to use compensatory time after it is earned before it will be paid out.	§124.18	7/1/09	Article 13
AC 123:1-44-01 Holidays	25. Clarifies that if an employee schedules a Cost Savings Day or takes leave pursuant to a mandatory or voluntary cost savings program on a day that is contiguous to a holiday, the employee shall not forfeit their holiday pay.	§124.18	7/1/09	Article 26
AC 123:1-46-04 Leaves and benefits; adjutant general's full-time firefighters	26. Reduces the amount of personal leave that full-time firefighters at the adjutant general's office will accrue from 2009-2010. 27. Establishes a moratorium on conversion payments for unused personal leave of full-time firefighters at the adjutant general's office until December 2011.	§124.138	Oct 2009	Article 27

07/27/09

Code/Rule	Exempt Parity Provisions			
-----------	--------------------------	--	--	--

AC 123:1-47-01 Definition of Terms	28. Eliminates requirement that intermittent work be of an irregular and unpredictable nature 29. Updates definitions pertaining to “position control number” to match new “position number” language.	§124.09	7/1/09	Article 7
--	---	---------	--------	-----------