



**Expo Center &
State Fairgrounds**

**EMPLOYEE
HANDBOOK**

OHIO EXPO CENTER & STATE FAIR EMPLOYEE HANDBOOK

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OHIO EXPOSITIONS COMMISSION ADOPTION/CHILDBIRTH LEAVE POLICY

Purpose

The Ohio Expositions Commission hereby adopts this policy issued by the state of Ohio on July 1, 2010. Adoption/Childbirth leave is intended to provide an opportunity for State employees to take up to a maximum of twelve (12) weeks of continuous leave to provide parental care immediately following the birth or adoption of a minor child.

Eligibility

All permanent exempt employees, and permanent bargaining unit employees covered by the following Collective Bargaining Agreements, who work an average of thirty or more hours per week are eligible for Adoption/Childbirth leave. A birth includes stillbirth, as defined in division (B)(2) of section 3705.01 of the Revised Code (or as amended). If the employee takes leave under this section for a stillbirth, the employee is ineligible for leave under Section 30.03 (Bereavement Leave). Leave under this Section shall be limited to twelve (12) consecutive weeks, the first two (2) weeks of which shall be the unpaid waiting period, and the remaining ten (10) weeks shall be paid at seventy percent (70%) of the employee's regular rate of pay. No minimum length of service is necessary to establish eligibility for this leave.

Collective Bargaining Agreements – Ohio State Troopers Association (OSTA), Fraternal Order of Police (FOP), FOP 48 (Attorney General), Ohio Civil Service Employees Association (OCSEA), OCSEA 50 (Auditor), OCSEA 55 (Treasurer of State), Service Employees International Union (SEIU) 1199, and State Council of Professional Educators, Ohio Education Association (OEA SCOPE).

Effective Date and Triggering Event

Eligibility for taking Adoption/Childbirth leave shall begin on the date of the birth of an employee's child or on the day on which custody is taken by the employee for adoption placement. To be eligible for leave an employee must be the parent (as listed on the birth certificate, or in the case of a stillbirth, the death certificate); or in the case of adoption the employee must be the prospective adoptive parent. An employee may elect to take five thousand dollars (\$5,000) for adoption expenses in lieu of the leave benefit. Payment may be requested when the court has awarded permanent custody of a child to the prospective parents. If an employee adopts multiple children, the event shall be considered a single qualifying event, and will not serve to increase the length of leave for the employee or the amount of adoption expenses received in lieu of receiving paid leave (\$5,000 limit).

Employees who desire to use such leave are encouraged to apply in writing within two (2) working days following the birth or adoption of a child. Such application shall be made using the standard Request for Leave form (ADM4258).

Leave and Benefit Amount

To qualify for Adoption/Childbirth leave, an employee must complete a 14-day waiting period, which commences on the date of the birth of an employee's child or the placement of an adopted child into the employee's custody. An employee may work at the discretion of the employee's appointing authority and/or may take unpaid leave, or may use any form of accrued paid leave or compensatory time for which the employee is qualified, or any combination thereof, during the 14-day waiting period. The 14-day waiting period under this section shall satisfy the waiting period for disability leave benefits for employees who qualify for additional leave due to disability, provided the employee does not work during the two week waiting period. The remaining four weeks of Adoption/Childbirth shall be paid at 70% of the employee's regular rate of pay.

The average regular hours worked (including holidays and use of paid leave) over the preceding three-month period shall be used to determine eligibility and benefits under this section for part-time employees, provided that such benefits shall not exceed forty (40) hours per week. If the employee has not worked a three-month period, the average number of hours for which the employee has been scheduled per week will be used to determine eligibility and benefits.

An employee may utilize any other form of paid leave or compensatory time to supplement Adoption/Childbirth leave, up to a maximum of one hundred percent (100%) of the employee's regular biweekly rate of pay. Employees using Adoption/Childbirth leave who meet the eligibility requirements of the Family and Medical Leave Act (FMLA) shall have the entire non-working period of Adoption/Childbirth leave counted toward the employee's twelve (12) week FMLA entitlement. **An employee may not use the Adoption/Childbirth leave under this section after exhausting the FMLA entitlement for the birth or adoption.** Adoption/Childbirth leave shall not affect an employee's right to leave under other provisions of this Agreement.

For the duration of Adoption/Childbirth leave, employees are eligible to receive all Employer-paid benefits and accrue all forms of leave at their regular accrual rates as if they were in active pay status and regardless of whether they are receiving payment at 70% or supplementing to 100% of their regular rate of pay. Appointing authorities are required to continue paying the employer's portion of health insurance premiums during approved Adoption/Childbirth leave.

Holidays

Employees shall not be eligible to receive Holiday Pay while on Adoption/Childbirth leave. Holidays shall be counted as one day of Adoption/Childbirth leave and be paid as Adoption/Childbirth leave, except that during the waiting period, if the employee was in active pay status the day before the holiday, the employee will be eligible to receive Holiday Pay as normal. Employees who work during a holiday shall be entitled to pay as provided pursuant to the appropriate Collective Bargaining Agreement, law or Administrative rule (Article 26).

Use of Other Leave

Employees may utilize sick, vacation, personal leave and/or compensatory time to receive pay during the 14-day waiting period and to supplement the 70% wages for the remaining four weeks or any portion thereof. Employees may supplement their wages up to a combined total of 100% of their regular bi-weekly rate of pay.

Employees using Adoption/Childbirth leave who meet the eligibility requirements of the Family and Medical Leave Act (FMLA) (i.e. twelve months of state service, and 1,250 hours in state service active work status during the twelve months immediately before the birth or adoption) shall have the entire non-working period of Adoption/Childbirth leave counted toward the employee's 12 workweek FMLA entitlement. In cases where the employee elects to use compensatory time in order to be paid during the 14-day waiting period or to supplement the 70% wages, the compensatory time used shall be counted toward the employee's 12 workweek FMLA leave entitlement pursuant to 29 CFR 825.207(f).

In accordance with the state's FMLA policy, when FMLA leave is used concurrently with Adoption/Childbirth leave, the leave policy for Adoption/Childbirth leave shall override the FMLA requirement that employees exhaust all of their accrued leave prior to going on unpaid leave. Pursuant to ORC 124.136(C), the decision to use sick, vacation, personal and/or compensatory time to receive pay during the 14-day waiting period is solely at the employee's discretion, and agencies may not force an employee to exhaust such leave during this time frame prior to going on unpaid leave.

Working During Adoption/Childbirth Leave Period

Appointing authorities may allow employees to work a reduced schedule during any portion of the twelve-week period, subject to the needs of the agency. Employees who are permitted to work a reduced schedule during such period shall establish a schedule that is acceptable to the Appointing Authority. Only the time spent in non-work status during the period of Adoption/Childbirth leave may be applied as FMLA leave.

Credit for Hours Worked or Supplemented

Employees who work or supplement their pay during the 12 weeks of leave, as described above, shall have their pay for hours worked or supplemented so calculated that working or supplementing thirty percent of their normally scheduled work hours during the pay period shall result in a bi-weekly pay amount equal to their regular bi-weekly pay. Employees who work more than thirty percent of their regularly scheduled hours shall forfeit paid childbirth adoption leave on an hour for hour basis for all excess hours.

Duration

Under no circumstances shall Adoption/Childbirth leave be taken beyond 12 weeks from the date of birth or placement of a child for adoption. Adoption/Childbirth leave shall not be used to extend the layoff date of employees or to extend a period of employment for established term regular or irregular employees.

Payment

Employees on Adoption/Childbirth leave shall receive leave pay as described above over the 12-week period through the regular payroll process until 480 hours of Adoption/Childbirth leave time, or 480 hours of Adoption/Childbirth leave combined with hours worked, has been exhausted or the appropriate pro-rated number of hours for part-time employees has been exhausted.

Overtime

No portion of Adoption/Childbirth leave is to be included in calculating overtime.

Coordination with Disability Leave

An employee who gives birth may elect to utilize either Adoption/Childbirth leave or disability leave for the 12 weeks following the date of birth.

Employees who are receiving disability leave benefits prior to becoming eligible for Adoption/Childbirth leave shall continue to receive disability leave benefits for the duration of the disabling condition or may elect to utilize Adoption/Childbirth leave for the ten weeks following the birth of the child without being required to serve an additional waiting period. If the employee continues to qualify for disability leave benefits immediately following the expiration of the Adoption/Childbirth leave, the employee may receive disability leave benefits for the duration of the disabling condition without serving an additional waiting period.

In the event that an employee is receiving disability leave benefits for a pregnancy and such benefits terminate prior to the expiration of any benefits the employee would have been entitled to under Adoption/Childbirth leave, the employee will receive Adoption/Childbirth leave for such additional time without being required to serve an additional waiting period.

Implementation

This policy becomes effective immediately and rescinds previous policies, memoranda, or directives on the subject.

Effective Date: March 1, 2012

Updated: January 1, 2025



State of Ohio Administrative Policy

Adoption/Childbirth Leave

No:
State Human Resources Policy
HR-18

Effective:
July 26, 2023

Issued By:

Kathleen C. Madden, Director

I. Purpose

Adoption/Childbirth leave is intended to provide an opportunity for eligible State employees to take up to a maximum of twelve (12) consecutive weeks of continuous leave to provide parental care within one (1) year of the **Birth** or **Adoption** of a **Minor Child**(ren). The first occurrence of a defined term in the policy is in bold, italic type.

II. Scope

All State of Ohio agencies, boards, and commissions under the authority of the Governor are subject to this Policy.

III. Policy

All permanent exempt employees, and permanent bargaining unit employees pursuant to applicable collective bargaining agreements, who work an average of thirty or more hours per week are eligible for Adoption/Childbirth leave. For bargaining unit employees, consult applicable collective bargaining agreements for any differences from this policy.

A. **Effective Date and Triggering Event**

1. Eligibility for taking Adoption/Childbirth leave shall begin on the date of the Birth of an employee's child(ren) or on the day on which custody is taken by the employee for Adoption placement. In the case of a Birth, the employee must be the parent (as listed on the birth certificate, or in the case of a stillbirth, the death certificate). In the case of an Adoption, the employee must be the **Legal Guardian** of, and reside in the same household with, the newly adopted child to be eligible. If an employee Adopts multiple children within twelve (12) weeks of each other or in the event of the Birth of multiple children (e.g., twins or triplets), the event shall be considered a single qualifying event, and will not serve to increase the length of leave for the employee or the amount of Adoption expenses received in lieu of receiving paid leave.

2. The average regular hours worked (including holidays and use of paid leave) over the preceding three-month period shall be used to determine eligibility and benefits under this section for part-time employees, provided that such benefits shall not exceed forty (40) hours per week. If the employee has not worked a three-month period, the average number of hours for which the employee has been scheduled per week since the day of hire will be used to determine eligibility and benefits.
3. This policy applies only to Births and Adoptions occurring on or after July 3, 2023. Any event occurring before that date is eligible for the benefit that was in effect at the time of the Birth or Adoption.

B. Request for Leave

1. Employees who are eligible should request Adoption/Childbirth leave in writing within two (2) working days following the Birth or Adoption of the child if the employee is seeking to use the leave immediately following the Birth or Adoption.
2. In the event the employee requests to use such leave at a later date, within one year of becoming eligible, the employee should provide at least two weeks' notice to the agency of the timeframe for using the leave.
3. Such request for leave in either instance should be made in accordance with agency policy and procedures.

C. Leave and Benefit Amount

1. Eligible State employees are entitled to a maximum of twelve (12) consecutive weeks of continuous leave within one (1) year of Birth or Adoption. The twelve (12) weeks of leave shall be paid at 70% of the employee's regular rate of pay. Payment shall be made through the regular payroll process. Employees may supplement the 70% wages as described below:
 - a) Employees may use sick leave, vacation leave, personal leave, and/or compensatory time to supplement the 70% wages for the twelve (12) weeks or any portion thereof. Employees may supplement their wages up to a combined total of 100% of their regular bi-weekly rate of pay, as explained in more detail in subsection c below.
 - b) Appointing authorities may allow employees to work a reduced schedule during any portion of the twelve-week period, subject to the needs of the agency. Employees who are permitted to work a reduced schedule during such period shall establish a schedule that is acceptable to the appointing authority.
 - c) Employees who choose to work or supplement their pay with accrued leave during the twelve (12) weeks of leave, as described above, shall have their pay for the hours worked or supplemented with leave calculated so that working or supplementing thirty percent (30%) of their normally scheduled work hours during the pay period shall result in a bi-weekly amount equal to a combined total of 100% of their regular bi-weekly pay. Employees who work more than thirty percent (30%) of their regularly scheduled hours shall forfeit paid Adoption/Childbirth leave on an hour for hour basis for all excess hours.

2. An employee who is Adopting a child(ren) may elect to take five thousand (\$5,000) for Adoption expenses in lieu of the leave benefit. Payment may be requested as soon as the court has awarded permanent custody of the child(ren) to the employee.
- D. **Other Leaves and Benefits:** For the duration of the Adoption/Childbirth leave period, employees are eligible to receive all Employer-paid benefits and accrue all forms of leave they are eligible for at the employee's regular accrual rates as if they were in active pay status and regardless of whether they are receiving payment at 70% or supplementing to 100% of their regular rate of pay.
- E. **Insurance Coverage:** Appointing authorities are required to continue paying the employer's portion of the employee's health insurance premiums during an approved Adoption/Childbirth leave, and the employee's health insurance premium will continue to be deducted.
- F. **Holidays**
1. Employees shall not be eligible to receive Holiday Pay while on Adoption/Childbirth leave. Holidays shall be counted as one day of Adoption/Childbirth leave and shall be paid as Adoption/Childbirth leave, not Holiday Pay.
 2. Employees who work during a holiday shall be entitled to pay as provided pursuant to the appropriate collective bargaining agreement, law, or Administrative Rule.
- G. **Overtime:** No portion of Adoption/Childbirth leave is to be included in calculating hours worked for the purposes of overtime.
- H. **Interaction with the Family Medical Leave Act:** Employees using Adoption/Childbirth leave who meet the eligibility requirements of the Family Medical Leave Act (FMLA), pursuant to 29 CFR 825.110, shall have the entire non-working period of Adoption/Childbirth leave counted toward the employee's twelve workweek FMLA entitlement. In accordance with the State's FMLA policy, when FMLA leave is used concurrently with Adoption/Childbirth leave, the leave policy for Adoption/Childbirth leave shall override the FMLA requirement that employees exhaust all accrued leave prior to going on unpaid leave. An employee may not use the Adoption/Childbirth leave under this section after exhausting the FMLA entitlement for the birth or adoption. Please see **Resources**, below, for the State's FMLA Policy.
- I. **Coordination with Disability Leave:** Employees who are receiving disability leave benefits prior to becoming eligible for Adoption/Childbirth leave shall continue to receive disability leave benefits for the duration of the disabling condition. If the employee continues to qualify for Adoption/Childbirth leave following release from disability, the employee may use the leave in accordance with this policy.
- J. **Coordination with Bereavement Leave:** In the event an employee takes leave under this policy for a Stillbirth, the employee is ineligible for bereavement leave as allowed under

section 124.387 of the Ohio Revised Code and/or any applicable collective bargaining agreement.

- K. **Leave Duration:** Under no circumstances shall Adoption/Childbirth leave be taken beyond one (1) year from the date of Birth or Adoption. Adoption/Childbirth leave shall not be used to extend the layoff date of employees or to extend a period of employment for established term employees if eligibility is provided to the non-permanent employee pursuant to a collective bargaining agreement.

IV. Definitions

- A. **Adoption.** The process outlined in chapter 3107 of the Revised Code (or as amended) for adoption of a Minor Child.
- B. **Birth.** As defined in section 3705.01 of the Revised Code (or as amended). Birth includes Stillbirth, as defined in division (B)(2) of section 3705.01 of the Revised Code (or as amended).
- C. **Legal Guardian.** Means any person, association or corporation appointed by the probate court to have the care and management of the person, the estate, or both of a Minor Child.
- D. **Minor Child.** A person under the age of eighteen years.

V. Authority

ORC 124.04, 124.136, 124.137
Applicable collective bargaining agreements

VI. Resources

Document Name	Location
Statewide FMLA Policy	https://das.ohio.gov/employee-relations/policies/family-medical-leave-act

VII. Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy Section
Office of Collective Bargaining
Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228

614.752.5393|DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
07/01/2010	Date of last issuance.
07/26/2023	Reissued for compliance with HB 33, 135 th General Assembly and updated to reflect current statutory requirements.

Beneficiary Designation



Securian Financial Group, Inc.

Securian Life Insurance Company • Minnesota Life Insurance Company
Group Customer Service • 400 Robert Street North, St. Paul, MN 55101-2098
Fax 651-665-4827

INSTRUCTIONS:

1. Clearly print or type the information.
2. Sign and date the completed form.
3. Return to Minnesota Life using the address above. Call (866) 416-8832 with questions.

GENERAL BENEFICIARY INFORMATION:

- Completing this Beneficiary Designation form will revoke all current beneficiary designations.
- The same person(s) cannot be named as both a primary and contingent beneficiary.
- If you need more space, attach an additional sheet of paper with all of the information required. Be sure to sign and date this additional information page.
- To receive a death benefit, a beneficiary must survive the insured. If the named beneficiary does not survive the insured, that beneficiary's portion shall be equally distributed to the remaining beneficiaries within that category.
- When the completed beneficiary form has been accepted, you will be mailed a confirmation.
- **Primary Beneficiary:** This is the individual(s), trust, charity, or estate that you want to receive the insurance benefit. You can divide the insurance proceeds between primary beneficiaries. The total shares must equal 100%.
- **Contingent Beneficiary:** If all the primary beneficiary(ies) are no longer living, eligible, or able to receive the benefits, it will be paid to the contingent beneficiary(ies) designated. You can divide the insurance proceeds between your named contingent beneficiaries. The total shares must equal 100%.
- **Naming Minor Children:** You may name your children (by name) directly, or to a trust. Minors cannot directly receive life insurance proceeds; however, they may be paid to a court-appointed guardian or held until the minor child is legal age.
- **Trust:** Provide the trust name, effective date and tax ID or Social Security number (if applicable) - i.e., "John Smith Trust dated 01/01/20xx."
- **Charity:** Provide the full name, address, tax ID number.

CONTINUE ON TO NEXT PAGE

Beneficiary Designation

Securian Financial Group, Inc.

Securian Life Insurance Company • Minnesota Life Insurance Company

Employer name State of Ohio		Policy number 34301
Insured's name (first, middle initial, last)		ID (or last four of SSN)
Address (street, city, state, zip)		Email address
Insured's date of birth	Policyowner (if different than insured)	Policyowner's phone number

This designation applies to all coverages.

PRIMARY BENEFICIARY(IES) - The person or persons named will receive the benefit.

Beneficiary full name/trust name	Date of birth/trust date	Tax ID (SSN or EIN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	

Total Primary Shares Must Equal 100%

CONTINGENT BENEFICIARY(IES) - Receives a benefit ONLY if all primary beneficiaries are no longer living.

Beneficiary full name/trust name	Date of birth/trust date	Tax ID (SSN or EIN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	
Beneficiary full name	Date of birth	Tax ID (SSN)	Share %
Address (street, city, state, zip)		Relationship to insured	

Total Contingent Shares Must Equal 100%

SIGNATURE REQUIRED - This beneficiary revokes all prior designations.

Policyowner's signature X	Date
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Insurance products are issued by Minnesota Life Insurance Company or Securian Life Insurance Company, a New York authorized insurer.

NEW MEMBER BENEFIT INFORMATION



Welcome to the Union Benefits Trust

Congratulations on your position within the state of Ohio. Not only are you eligible for benefits from Union Benefits Trust (UBT), you also have the opportunity to join the union that represents you, and receive exclusive benefits available only to members.

Through UBT, you are eligible to enroll in the supplemental life insurance plan and/or the MetLife Legal Plan within 90 days of your hire date.

- Supplemental life insurance is intended to protect your family should something happen to you unexpectedly. In most cases, you can elect a \$10,000 minimum for less than \$1.00 a month and dependent coverage is available.
- The legal plan gives you easy access to a variety of services through MetLife's provider network.

These benefits are voluntary and the cost is conveniently payroll deducted monthly. Our brochure offers you an overview of these benefits. Please visit benefitstrust.org for details and enrollment information or contact UBT at **614.508.2255** or **800.228.5088** or email us at customerservice@benefitstrust.org with any questions.

Be sure to read "WHAT HAPPENS NEXT" on the back of the brochure!

We look forward to serving you,
Union Benefits Trust Trustees and Staff

There are seven unions representing state of Ohio employees, contact your Union to find out how you can become active and good luck in your new position!



If a discrepancy exists between the benefit information in this brochure and any legal and binding benefit contracts UBT has with each vendor, the legal contracts prevail.

Deadlines & Reminders

Supplemental life insurance and/or the legal service plan may be elected only at hire or during open enrollment. You must enroll no later than 90 days after hire.

- Mail your enrollment form for legal to MetLife Legal.
- Mail your enrollment form for supplemental life insurance to Prudential.

Established term employees should check with their Human Resources Officers to determine enrollment and eligibility information.

Supplemental Life Insurance

COVERAGE LEVELS AND EVIDENCE OF INSURABILITY

You can purchase coverage for yourself and your spouse in \$10,000 increments. If you enroll within 90 days of hire:

For yourself

- Up to **three** times your basic annual earnings or \$150,000 whichever is less without evidence of insurability.
- Up to **eight** times your basic annual earnings or \$600,000 whichever is less with evidence of insurability.

For your spouse (you must have or be enrolling in coverage yourself)

- \$10,000 without evidence of insurability.
- \$20,000, \$30,000 or \$40,000 with evidence of insurability.

For your children (you must have or be enrolling in coverage yourself)

- \$7,000 without evidence of insurability.

Evidence of insurability is not required for children.

Supplemental Life Insurance Rates per \$10,000 unit of coverage		
Effective 7.1.2024 thru 6.30.2025		
Age	Non-smoker	Smoker
under 30	\$.488	\$.644
30-34	\$.598	\$.800
35-39	\$.681	\$.948
40-44	\$1.00	\$1.454
45-49	\$1.50	\$2.420
50-54	\$2.300	\$3.726
55-59	\$4.158	\$5.538
60-64	\$6.302	\$8.492
65-69	\$10.230	\$15.244
70+	\$17.342	\$27.287

Rate for children - \$.83 regardless of the number of children for \$7,000 coverage per child.
A non-smoker is someone who has not used any form of tobacco in the past 12 months.

Prudential Insurance Company of America
Toll Free **844-533-4UBT (4828)**
Group number: **LG-01049**

Supplemental life insurance is available at hire (when you have no paid life insurance coverage) to help protect your family financially.

EFFECTIVE DATE:

Coverage will begin the first of the month following your first payroll deduction provided you, the member, are actively at work. If you are not actively at work on the date your coverage would otherwise begin, you and your dependents coverage will take effect on the date you return to work provided they are not confined for medical treatment.

Coverage is term life insurance and has no cash value. The Plan includes an accelerated death benefit and portability for active members or conversion options.

WHO IS ELIGIBLE:

You, your legal spouse, eligible dependent children to age 26 who are married or unmarried, student or not students, reliant or not reliant on you for financial support. Visit the website for complete dependent information.

FOR STATE EMPLOYEE FAMILIES: Each family member can only be covered by one policy. Children may only be covered by one parent.

Established term employees are eligible unless excluded by agency-specific agreement.

COST OF COVERAGE:

You pay the entire cost of the coverage for you and your dependents. Your premiums are conveniently deducted from the 1st pay period of each month. Rates will increase automatically when the covered person reaches the next age bracket.

WHEN COVERAGE ENDS

You may notify Prudential to cancel your coverage at any time.

Coverage ends on the last day of the month following the month you fail to meet eligibility requirements or your last payroll deduction, whichever occurs last.

Dependent coverage ends when your coverage ends or they no longer meet the definition of a dependent.

HOW TO ENROLL: You have 4 options to enroll.

- **By Phone:** Call Prudential's Personalized Solutions Center at **844-533-4UBT(4828)**, Monday-Friday 8 a.m. - 8 p.m. EST.
- **Online:** Link thru **benefitstrust.org** to the Prudential site and choose the 'Create an Account' option. You will need your state of Ohio User ID, your date of birth (MMDDYYYY) format) and the Access Code **01049**.
- **On paper:** Paper forms can be downloaded from our website, faxed or mailed to your home by calling UBT. Completed forms should be mailed to the address on the form.
- **By Fax:** 888-772-526s5

Legal Plan

ENROLLMENT OPTIONS

- Within 90 days of hire
- During the annual open enrollment period

Once enrolled, you must maintain coverage until the following June 30. If you choose to drop your coverage after a full plan year, you must fill out a form during the annual open enrollment period; otherwise your coverage will continue.

LOW MONTHLY PAYROLL DEDUCTIONS

- Single coverage - \$15.90/month
- Family coverage - \$18.95/month

For most legal matters, you may use the lawyer of your choice. Your costs will be less if you use a network Plan Attorney.

Coverage is available in all 50 states and U.S. territories.

(Established term employees are not eligible)

TO ENROLL

Download the Legal Plan Enrollment Form at **benefitstrust.org** under FORMS AND INFO. Mail forms to MetLife within 90 days of hire:

**MetLife Legal Plans
Eaton Center
1111 Superior Avenue, Suite 800
Cleveland, Ohio 44114
800-821-6400**

Plan funding

Contributions collected from members electing this coverage are paid to MetLife Legal Plans, Inc.

Contributions collected from members electing life insurance coverage are paid to the Prudential Insurance Company of America

MetLife Legal
800-821-6400
Group Number: **4900010**

TO OBTAIN SERVICE

You must contact MetLife before contacting an attorney. You will need to verify eligibility and obtain a case number either online or by phone. You will then be given the name and phone number of a nearby Plan Attorney.

You will have full coverage when using a plan attorney with no co-pays or deductibles on covered services.

You may choose a lawyer who is not in MetLife's network. If you use an out-of-network attorney, you may have out-of-pocket costs. Non-network coverage is subject to a set fee schedule. Contact MetLife or go online to learn more.

There are no time limits or usage restrictions. The Plan Attorney will provide all work, including representation. You may use the plan for the same or a different service, as many times as required to complete the matter.

SERVICES OFFERED BY METLIFE LEGAL:

- Wills and Estate Planning
- Real Estate Matters
- Traffic and Criminal Matters
- Consumer Protection
- Debt Matters
- Defense of Civil Lawsuits
- Family Law
- Document Preparation/Review
- Office Consultations/Phone Advice
- Sale or Purchase of Primary, Secondary or Vacation Home
- Home Equity Loans for Primary, Secondary or Vacation Home
- Divorce, Dissolution and Annulment (*20 hrs. Maximum*)
- Identity Management Services
- Adoption and Legitimization (*Uncontested/Contested*)
- Guardianship or Conservatorship (*Uncontested/Contested*)
- Refinance of Primary, Secondary or Vacation Home
- Boundary or Title Disputes of Primary Residence
- Property Tax Assessment of Primary Residence
- Zoning Applications
- Protection from Domestic Violence (*member only*)

EXCLUSIONS

A **partial** list of non-covered matters includes the following: Payment made to a third party such as court costs, witness fees, filing fees or fines; business or farm matters; matters for which you are or have been receiving legal services before you received a case number, or for any matter for which an attorney-client relationship exists prior to the member becoming eligible for plan benefits; matters or disputes involving the MetLife Legal Plans, MetLife and its affiliated companies or a Plan Attorney; matters or disputes concerning the Union Benefits Trust or a union served by the UBT; or matters concerning employment including state and statutory benefits. *Find a full list of exclusions at the UBT website **benefitstrust.org**.*

NEW MEMBER BENEFITS • 90 DAYS TO ENROLL



Serving State of Ohio Union-Represented Employees

Public Service Loan Forgiveness (PSLF) Program

DO YOU HAVE STUDENT LOAN DEBT? GOING BACK TO SCHOOL?

If you are searching for a way to lower your monthly student loan payments or make additional degrees more affordable, the Public Service Loan Forgiveness (PSLF) Program may be an option for you. Fiducius is a company that helps non-profit and government employees access the extremely complicated and not well publicized federal government's PSLF Program.

FIND OUT IF YOU'RE ELIGIBLE

- Step 1: Visit:
myfiducius.com/register
- Step 2: Enter Registration Code:
ubt1
- Step 3: Answer 5 eligibility questions, if eligible, schedule your no-obligation consultation.

Have Questions? Contact the Fiducius team at **513-645-5400** or by visiting **getfiducius.com**.

Fiducius

A Better Kind of Benefit

* Those persons who access information regarding services provided by Fiducius or similar services assume full responsibility for the use of said information and agree that the Union Benefits Trust is not responsible or liable for any claim, loss or damage arising from the use of any information contained in this site. The appearance of external hyper links does not constitute endorsement by the Union Benefits Trust of the linked Web sites, or the information, products, or services contained therein.

CONTACT US:

Website:
benefittrust.org

Customer Service:
**800-228-5088 or
614-508-2255**

email:
**[customerservice@
benefittrust.org](mailto:customerservice@benefittrust.org)**

WHAT COMES NEXT

Dental, vision and basic life are available to you at no cost when you have one year of continuous (or 365 days of) state service. Coverage is effective the 1st of the following month, provided you enroll and are actively at work. Just before your anniversary date, UBT will mail you a booklet with enrollment information. Read the materials carefully and keep them for future reference. If your anniversary date approaches and you don't have your materials, contact us immediately at **800-228-5088** or **614-508-2255**.

If you do not enroll in either the supplemental life or legal plan as a new hire, you will have an option to enroll (or change coverage) during the annual open enrollment typically held in the spring.

In May, look for your annual open enrollment guide. It is mailed to your home at the address on file with the State of Ohio.



5500 Britton Parkway
Hilliard, OH 43026
(614) 487-6650 FAX (614) 487-6659

MEMBERSHIP APPLICATION & AGREEMENT

Account Type(s):	<input type="checkbox"/> Share Savings	<input type="checkbox"/> Second Savings	<input type="checkbox"/> Youth Savings	<input type="checkbox"/> Young Adult Savings	<input type="checkbox"/> IRA Savings
	<input type="checkbox"/> Cash Back Rewards Savings	<input type="checkbox"/> Money Market	<input type="checkbox"/> Young Adult Money Market	<input type="checkbox"/> Christmas Club Savings	<input type="checkbox"/> Checking
	<input type="checkbox"/> Checking Plus	<input type="checkbox"/> Silver Advantage Checking	<input type="checkbox"/> Young Adult Spending	<input type="checkbox"/> Standard Term Share Certificate; _____ (term)	
	<input type="checkbox"/> Bump Up Term Share Certificate; _____ (term)	<input type="checkbox"/> IRA Term Share Certificate; _____ (term)			
	<input type="checkbox"/> Educational Growth Term Share Certificate; _____ (term)				
Account Ownership:	<input type="checkbox"/> Individual	<input type="checkbox"/> Joint	<input type="checkbox"/> POD	<input type="checkbox"/> _____	

IMPORTANT INFORMATION ABOUT PROCEDURE[S] FOR OPENING A NEW ACCOUNT

To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an Account.

What this means for You: When You open an Account, We will ask You for Your name, address, date of birth, and other information that will allow Us to identify You. We may also ask to see Your driver's license or other identifying documents.

Primary Member Information

Are You a Non-Resident Alien? Yes No

Eligibility	First Name	Last Name	M.I.	Suffix
Address Line 1	Address Line 2	City	State	Zip
Home Phone	Cell Phone	Business Phone	E-Mail Address	Birth Date
				Mother's Maiden Name
Social Security Number	Driver's License Number/State/Exp. Date	Employer		

Joint Owner 1 Information

Joint Owner Other Specify: _____

Eligibility	First Name	Last Name	M.I.	Suffix
Address Line 1	Address Line 2	City	State	Zip
Home Phone	Cell Phone	Business Phone	E-Mail Address	Birth Date
Social Security Number	Driver's License Number/State/Exp. Date	Employer		

Joint Owner 2 Information

Joint Owner Other Specify: _____

Eligibility	First Name	Last Name	M.I.	Suffix
Address Line 1	Address Line 2	City	State	Zip
Home Phone	Cell Phone	Business Phone	E-Mail Address	Birth Date
Social Security Number	Driver's License Number/State/Exp. Date	Employer		

Payable-On-Death Account Beneficiary Designation

In the event of Your death, You hereby designate the following beneficiary(ies).

Name _____	Address _____	Social Security Number _____	% _____
Name _____	Address _____	Social Security Number _____	% _____
Name _____	Address _____	Social Security Number _____	% _____
Name _____	Address _____	Social Security Number _____	% _____

VISA Debit Card/Phone Banking/Internet Banking

You are requesting the convenience of 24-hour access to Your Credit Union Account(s) with VISA Debit Card, Phone Banking, and/or Internet Banking in conjunction with a Personal Identification Number (PIN) or Access Code. Your Card will allow You to use a number of Automated Teller Machine (ATM) networks, including the Credit Union's ATM machines and will also allow You to pay for services and purchases directly from Your checking account.

You would like: VISA Debit Card Phone Banking Internet Banking

Name on Card 1: _____ Name on Card 2: _____

Name on Card 3: _____



Flexible spending accounts Health savings accounts Commuter benefits

STATE OF OHIO EMPLOYEES

In this guide, you will find the information you need to make informed benefit selections for your pre-tax savings plans. Take time to carefully review each plan and its offerings and consider how they may benefit you and your family. After reviewing your options, submit your flexible spending accounts (FSA) benefit elections during the FSA Open Enrollment period from Oct. 14-24, 2025.

Take advantage of the resources identified on each page, as they provide the best avenues for making informed benefits decisions. You can also call the Baker Tilly Vantage Employee Benefits Center at 833-559-0002 (Monday through Friday, 8 a.m. to 8 p.m. ET) if you need any help along the way.

For complete details, visit myFlexDollars.com.

***FSA Open Enrollment starts Oct. 14
and ends at midnight Oct. 24, 2025.***

2026 Employee Savings Guide

Your guide to savings

Baker Tilly Vantagen, through their myFlexDollars platform, administers the State of Ohio's flexible spending account (FSA), health savings account (HSA) and commuter benefits plans. These plans are a simple and convenient way for you to make the most out of your paychecks. When you enroll you can pay for health care, dependent care, and commuting expenses while saving money at the same time.

Here's how it works: You set aside a predetermined amount to be deducted from your paycheck, which is then deposited into your account. The amount that you designate is deposited before federal and state income tax withholding is deducted. **This means the funds that you set aside to pay for your health care, dependent care, or commuting expenses are tax free, which saves you money.**



Flexible Spending Accounts Important Dates

October 14-24, 2025 – Open Enrollment for flexible spending accounts. FSA enrollment is not automatic. You must enroll annually to receive the health care FSA or dependent care FSA benefit. If you are currently enrolled in commuter benefits or a health savings account, take this opportunity to review and change your contributions, if necessary.

Mid-December 2025 – Newly-enrolled employees will receive the Consumer Guide and two new benefit cards in the mail. You will receive a set of two cards and they will be good for three years. If you were enrolled in any pre-tax plan in 2025, keep your card as a new card will not be issued.

December 31, 2025 – Final service date. This is your last day to incur services for the 2025 plan year for the health care, dependent care, and limited purpose FSA.

January 1, 2026 – Start of the new plan year; funds rollover. This is your first day to incur services for the new 2026 plan year for health care, dependent care, and limited purpose FSA. Unused health care and limited purpose FSA funds between \$50 and \$640 will rollover from the 2025 plan year into your 2026 account. Rollover amounts can be used on eligible 2025 expenses by submitting a claim for reimbursement through the March 31, 2026, deadline.

March 31, 2026 – Claims submission deadline. Last day to submit any calendar year 2025 expenses incurred for your health care FSA, dependent care FSA, and/or limited purpose FSA.



What to know about commuter benefits

All State of Ohio employees are eligible and there's no need to wait for Open Enrollment – you can sign up at any time! Commuter orders must be completed by the 5th of the month for the following month. See the Commuter Benefits section for details.

Ready to Enroll?

Now is the time to plan and save!



You can only enroll in an FSA plan once a year, unless you experience an IRS approved qualifying life event. You can change your elections as many times as you'd like during the Open Enrollment period, but your final decisions must be submitted by midnight Oct. 24, 2025.

Online Enrollment

myFlexDollars Login Page

Step 1: Log in to myOhio.gov, under Self Service click the **FSA, HSA, and Commuter Benefits** tile, and create a new account if you're a new user or log in as an existing user. Existing members can use the State of Ohio single sign-on to log in to myOhio > **My Workspace** > and click the **FSA, HSA, and Commuter Benefits** tile under Self Service, or log in to myFlexDollars.com.

myFlexDollars Enroll Now Page

Step 2: Click the **Enroll Now** button to begin the enrollment process.

Step 3: Click the dark blue **Get Started** button on the top of the page.

Step 4: Select your benefits and contribution amounts. Click **Proceed** to review all of your benefit options.

Step 5: Verify your selections and click the **Submit These Elections** button.

Step 6: Enrollment complete! You can print and/or save a copy of your Confirmation Statement.

If you would like to enroll by form, you can use the form located at the back of this guide. If enrolling during the 2025 Open Enrollment period, forms must be postmarked or sent electronically by Oct. 24, 2025.

Call the Baker Tilly Vantagen Employee Benefits Center for enrollment support, 8 a.m. to 8 p.m. ET Monday through Friday, at 833-559-0002.

Health Care FSA Versus Health Savings Account Enrollment

Enrollees in the Ohio Med HDHP (high deductible health plan) with a health savings account (HSA) are not eligible to also contribute to a traditional health care FSA. Instead, you can supplement your HSA with a limited purpose FSA. **A limited purpose FSA is an account that is used in tandem with an HSA to pay for eligible dental and vision expenses. This yields additional pre-tax savings for you. Eligible expenses include dental and vision deductibles and copays, orthodontia, dentures, eye exams, contacts, and prescription glasses.**

If you are participating in a health care FSA and subsequently become enrolled in the HDHP, your account will be converted to a limited purpose FSA. If you enroll in either the PPO or the Select plan or become covered under another plan that makes you ineligible to contribute to an HSA, your contributions to the HSA must stop.

Calculate Your Contributions and Potential Savings

Use the FSA Savings Calculator

Check how much you could save by participating in an FSA using the FSA savings calculator. You will be presented with the FSA savings calculator when you are enrolling in your FSA benefit.

- ➔ Enter how much you spend on eligible expenses each year.
- ➔ Arrive at your estimated annual election.
- ➔ Review your potential savings!

Flexible Spending Accounts (FSAs)

There are three types of flexible spending accounts: Health Care FSA (HCFSA), Limited Purpose FSA (LPFSA), and Dependent Care FSA (DCFSA). FSAs allow you to save for eligible expenses on a pre-tax basis. You can redirect a portion of your pay into a flexible spending account (FSA). Because you do not pay federal and state taxes on money that goes into your FSA, you decrease your taxable income and potentially increase your spendable income. You can then use those pre-tax dollars to pay for eligible health care expenses that would have otherwise been paid with post-tax dollars. You choose how much money you want to contribute to an FSA at the beginning of each plan year, up to the plan limits, and access these funds throughout the year for qualifying expenses.

When does coverage end? Participation in the FSA ends if you terminate employment. Your last day to incur an FSA expense is the last day of the month in which your employment ends. Claims for expenses incurred prior to the termination date must be submitted by the claims filing deadline. Coverage may be continued on a post-tax basis for the HCFSA or LPFSA under COBRA continuation coverage.

FSA Plan Dates

Plan year start: January 1, 2026
Last day to incur new expenses: December 31, 2026
Deadline to file claims: March 31, 2027

Not sure what might qualify?
Check out the eligible expense guide at:
[BakerTillyVantagen.com/Database](https://www.BakerTillyVantagen.com/Database).

Health Care FSA (HCFSA)

The HCFSA gives you the ability to save money for any IRS-allowed health expenses not covered by your medical benefit plans. These expenses include deductibles, copayments and coinsurance payments, routine physicals, uninsured dental expenses and orthodontia, vision care expenses (i.e., eyeglasses or contact lenses), hearing care expenses (i.e., a hearing exam or a hearing aid), and some over-the-counter items.

With the HCFSA, you can be reimbursed an amount up to the total annual contribution you have elected regardless of your account balance. You can begin to use all or some of the total amount elected as of Jan. 1, 2026. Funds may be used for eligible expenses for your spouse, federal tax dependents, or qualifying children under the age of 27 by the end of the tax year.

Annual contribution limits:
Minimum \$240
Maximum \$3,300



Remember that the limit is per employee, so if you have a spouse with an FSA, they can contribute up to \$3,300 in their account as well, even if you both work for the State of Ohio.

The annual amount elected will be divided evenly over the first 24 pay periods in the plan year. Unused funds at the end of the plan year will rollover to the new plan year. For the 2026 plan year, rollover amounts have a \$50 minimum and a \$660 maximum. Amounts less than \$50 and/or in excess of \$660 will be forfeited.

Who is eligible? Any permanent full- or part-time state employee is eligible to enroll regardless of enrollment in the medical plan.

Permanent employees who have completed one year of continuous state service (if applicable*) and have sufficient pay to cover the election amount may enroll in an HCFSA or LPFSA during Open Enrollment. If you complete your one year of continuous state service (if applicable*) between Oct. 1 and Dec. 31, you are eligible to enroll during Open Enrollment for the next plan year.

If you become eligible to enroll in an HCFSA outside of the Open Enrollment period, enrollment must occur within 31 days of eligibility and coverage will begin the 1st of the following month. The State of Ohio permits new enrollment between Jan. 1 and Sept. 30.

** Unclassified employees do not have to complete one year of continuous state service to be eligible to enroll. Enrollment must occur within 31 days of eligibility and coverage will begin the 1st of the following month.*

How do I use my funds? Paying for expenses is easy when you use the benefits card. If you do not use your card, you can quickly and easily create a claim online at myFlexDollars.com or by using the myFlexDollars mobile app. Once you submit your claim and receipts, we will reimburse you via direct deposit or check (to you or your provider).

FSA health care expense examples



Prescriptions



Bandages



Teeth Cleaning



X Rays



Contact Solution

Limited Purpose FSA (LPFSA) for HDHP Participants Only

If you elect a high deductible health plan (HDHP), you can enroll in a LPFSA. Due to federal guidelines, participants enrolled in an HSA are not eligible to enroll in a traditional health care FSA in conjunction with their HSA. An LPFSA may be used for eligible dental and vision care expenses.

Annual contribution limits: Minimum \$240, maximum \$3,300.

Remember that the limit is per employee, so if you have a spouse with an FSA, they can contribute up to \$3,300 in their account as well, even if you both work for the State of Ohio.

Unused funds at the end of the plan year will rollover to the new plan year. For the 2026 plan year, rollover amounts have a \$50 minimum and a \$660 maximum. Amounts less than \$50 and/or in excess of \$660 will be forfeited.

Since HSAs Also Cover Dental and Vision, Why Have Both Accounts?

- ➔ **Additional tax savings** — Having two accounts allows you to maximize your tax savings by contributing up to the maximum limits — using pre-tax funds — to both accounts.
- ➔ **Preserve your HSA** — By using your LPFSA for dental and vision, you're able to save your HSA balance. Since you may be able to invest portions of your HSA balance and your HSA may earn interest, you may save and potentially grow your money for the future.



HCFSA and LPFSA Rules and Regulations

- ➔ IRS regulations limit how health care accounts can be paired. If you enroll in the high deductible health plan and have a HSA, you cannot also have an HCFSA that covers medical expenses. However, you may have a LPFSA that only covers dental and vision expenses.
- ➔ The IRS requires that all FSA purchases be verified as eligible expenses. Sometimes, purchases are automatically verified when you use your card. Other times, we will request itemized receipts. Always save your itemized receipts.
- ➔ Your full annual contribution amount is available at the beginning of the plan year, so you don't have to wait for the money to accumulate.
- ➔ Your HCFSA or LPFSA may be used to reimburse eligible expenses incurred by you, your spouse, your qualifying child, or a qualifying relative.

Note: There is no age requirement for a qualifying child if they are physically and/or mentally incapable of self-care. An eligible child of divorced parents is treated as a dependent of both, so either or both parents can establish an HCFSA or LPFSA. However, only the custodial parent of divorced or legally separated parents can be reimbursed using the DCFS.

If you go on a leave of absence and miss deductions, the account will be closed. It is the employee's responsibility to complete the enrollment change at myFlexDollars.com upon a return from leave to re-activate the account. Re-enrollment must occur within 31 days from the employee's return from leave and coverage will begin the 1st of the following month.

You have until March 31, 2027, to submit claims incurred during the plan year and are able to carry over between \$50 and \$660 of unused funds into the next plan year. Account balances under \$50 and/or in excess of \$660 will not carry over. **In compliance with federal law, any money remaining in your account after the March 31, 2027, deadline, outside of the established minimum and maximum carryover limits, will be forfeited. This is more commonly known as the "use-it-or-lose-it" rule.**

Dependent Care FSA (DCFSA)

A dependent care FSA (DCFSA) allows you to save for day care expenses for your child, disabled parent, or spouse, enabling you and your spouse (if applicable) to work full-time and/or attend school on a full-time basis. Since DCFSA contributions are not taxed, you can reduce your taxable income by the amount you contribute to your DCFSA. Generally, expenses are eligible if they are the result of care for:

- ⤷ Children under the age of 13 for whom you are entitled to a personal exemption on your federal income tax return.
- ⤷ Your spouse or other dependents, including parents, who are physically or mentally incapable of self-care.

The maximum annual amount you can contribute to a DCFSA is \$7,500, or \$3,750 if both you and your spouse elect the benefit and you file your taxes separately.

The IRS does not permit a rollover of unused funds, so plan carefully!

The annual amount elected will be divided evenly over the first 24 pay periods in the plan year. It is important to note that you can only be reimbursed for dependent care services up to the balance you have in your account. If you submit a claim for an amount that exceeds your account balance, you will be reimbursed on a pay period basis until you have made enough additional contributions to cover the expenses.

Who is eligible? Permanent full time or part time state employees are eligible the 1st of the month following the date of hire. For permanent employees who have a qualifying dependent(s), enrollment must occur within 31 days of eligibility or during the Open Enrollment period.

How do I use my funds? Funds in the account are easily accessed by using your benefits card with an authorized day care provider, online, or through the mobile app. Your account balance is available at any time online, through the mobile app, or over the phone. You can quickly and easily create your claim online or using the mobile app. Once you submit your receipts, we will reimburse you via check or direct deposit.



Dependent Care FSA (continued)

DCFSA rules and regulations

To be reimbursed through your dependent care spending account for child (under age 13) and dependent care expenses, you must meet the following conditions:

- Care must be provided in order for you to work.
- You cannot have made the care payments to someone you can claim as your dependent on your federal tax return or to your child who is under age 19.
- DCFSA funds can only be used for eligible expenses for child and elder care. Funds cannot be used for health care expenses such as doctors visits, medications, or copayments; or vision or dental expenses.
- Your filing status must be single, qualifying widow(er) with a dependent child, married filing jointly, or married filing separately.
- You and your spouse must maintain a home that you live in for more than half the year with the qualifying child or dependent.
- While an eligible child of divorced parents is treated as a dependent of both parents for an HCFSA, only the custodial parent of divorced or legally separated parents can be reimbursed using the DCFSA.
- Once you sign up for a DCFSA and decide how much to contribute, the funds available to you depend on the actual funds in your account. Unlike an HCFSA, the entire maximum annual amount is not available at the start of the plan year, but rather after your payroll deductions are received.
- DCFSA may only be used for expenses once they are incurred. DCFSA may not be used to pay for prepaid expenses.



DCFSA eligible expense examples

Dependent care flexible spending account funds cover care costs for your eligible dependents while you work. Eligible expenses are defined by the IRS. Examples include:



Daycare and preschool



Before and after school care



Summer and holiday day camp



Care provider – babysitter, nanny, or au pair



Care of an incapacitated adult who lives with you

DCFSA non-eligible expenses

DCFSA funds can only be used for eligible expenses for child and elder care. Funds cannot be used for health care expenses such as doctors visits, medications, or copayments; or vision or dental expenses.

Enrollment Changes

Qualifying life events	Example	Documentation
<p>Marital status</p> <p>A change in marital status includes marriage, death of a spouse, divorce, or annulment (legal separation is recognized under the State of Ohio's plan per Ohio law).</p>	<ul style="list-style-type: none"> • Marriage • Divorce • Legal separation • Death of employee and/or spouse 	<ul style="list-style-type: none"> • Official or temporary copy of marriage certificate • Copy of divorce decree that includes the judge's signature and date divorce was finalized • Copy of legal separation decree including the effective date • Copy of death certificate
<p>Change in number of tax dependents</p> <p>A change in number of dependents status includes the following: birth, death, adoption, and placement for adoption. You can add existing dependents not previously enrolled whenever a dependent gains eligibility as a result of a valid qualifying life event.</p>	<ul style="list-style-type: none"> • Birth of a child • Death of a dependent • Adoption or placement for adoption of a child 	<ul style="list-style-type: none"> • Birth certificate, crib card or hospital bill • Copy of death certificate • Copy of adoption papers or other court issued forms that contain the judge's signature
<p>Change in status of employment affecting coverage eligibility</p> <p>Change in employment status of the employee, or a spouse or dependent of the employee, that affects the individual's eligibility under the State of Ohio's plan, including commencement or termination of employment.</p>	<ul style="list-style-type: none"> • Gain or loss of spouse's or dependent's employment • Change in employee's employment status 	<p>Letter from spouse's or dependent's employer stating the date of the employment change and the nature of the change in health insurance coverage documentation</p>
<p>Gain or loss of dependent eligibility status</p> <p>An event that causes an employee's dependent to satisfy or cease to satisfy coverage requirements under the State of Ohio's plan. May include change in age, student, marital, or tax dependent status.</p>	<p>Gain or loss of dependent's eligibility status by attaining a specific age or changes in student, marital, or tax status</p>	<p>Copy of birth certificate, documentation from dependent's college such as tuition bill or diploma, marriage certificate</p>

Coverage and cost changes	The State of Ohio may permit election changes due to cost or coverage changes. You may make a corresponding election change to your dependent care spending account benefit whenever you switch dependent care providers. However, if a relative (who is related by blood or marriage) provides custodial care for your eligible dependent, you cannot change your salary reduction amount solely on a desire to increase or decrease the amount being paid to that relative.
Open Enrollment under other employer's plan ¹	You may make an election change when your spouse or dependent makes an Open Enrollment change in coverage under their employer's plan if they participate in their employer's plan and: <ul style="list-style-type: none"> • The other employer's plan has a different period of coverage (usually a plan year) or • The other employer's plan permits mid-plan year election changes under this event
Judgment/Decree/Order ²	If a judgment, decree, or order from a divorce, legal separation (as recognized under the State of Ohio's plan), annulment, or change in legal custody requires that you provide accident or health coverage for your dependent child (including a foster child who is your dependent), you may change your election to provide coverage for the dependent child. If the order requires that another individual (including your spouse and former spouse) covers the dependent child and provides coverage under that individual's plan, you may change your election to revoke coverage only for that dependent child and only if the other individual actually provides the coverage.
Medicare/Medicaid ²	Copy of birth certificate, documentation from dependent's college such as tuition bill or diploma, marriage certificate
Health Insurance Portability and Accountability Act of 1996 (HIPAA)	If your employer's group health plan(s) are subject to HIPAA's special enrollment provision, the IRS regulations regarding HIPAA's special enrollment rights provide that an IRC § 125 cafeteria plan may permit you to change a salary reduction election to pay for the extra cost for group health coverage, on a pre-tax basis, effective retroactive to the date of the qualifying life event, if you enroll your new dependent within 31 days of one of the following qualifying life events: birth, adoption, or placement for adoption. Note: A health care spending account is not subject to HIPAA's special enrollment provisions if it is funded solely by employee contributions.
Family and Medical Leave Act (FMLA) Leave of Absence	Election changes may be made under the special rules relating to changes in elections by employees taking FMLA leave. (Note: Your account can be closed with no notice for nonpayment if deductions are not received regularly.) A letter is required from the employer or personnel office stating the date the unpaid leave of absence began or the date of return to the payroll.

Notes:

1. Does not apply to a health care spending account plan.
2. Does not apply to a dependent care spending account plan.

Terminate and/or retirement of employment

If you terminate and/or retire from employment, you can continue certain HCFSAs and LPFSA benefits. According to federal and state law, you can continue coverage if you terminate and/or retire from employment or have certain other qualifying events under COBRA. You will be notified of your rights and any containable benefit you may have after Baker Tilly Vantage has been notified of your qualifying event, termination, and/or retirement.

If you choose not to enroll in COBRA, or for the DCFSA, your benefits will terminate at the end of the month in which the event occurred. You will have until March 31 of the following year to file claims incurred through the end of the month in which you terminated and/or retired. Any unclaimed funds will be forfeited according to IRS regulations.

Health Savings Account (HSA)

If you are enrolled in the Ohio Med HDHP (high deductible health plan), you also have the opportunity to establish an HSA. An HSA is an account you establish to pay for qualified health care expenses for you and your eligible dependents and is an excellent opportunity to save for health care expenses or to simply save for your future. However, it is important that you understand how to contribute funds to an HSA, how to withdraw funds you have contributed and what, if any, tax implications are associated with your HSA. To change your HSA elections please refer to the step by step instructions below. You can change your HSA contributions at any time.



An HSA provides you with great tax savings:

- ➔ Contributions made to your HSA via paycheck deductions are pre-tax.
- ➔ Earnings growth through interest and investments is not taxed.
- ➔ Withdrawals from your account are tax free, if used for qualified health care expenses.

Other program highlights include:

- ➔ Your HSA contributions can be made through payroll deductions or you can deposit money directly into your account.
- ➔ You own the account and it's portable (you can take your HSA funds with you even if you leave).
- ➔ Balances carry over from year to year (no "use it or lose it").
- ➔ You can spend your funds on qualified health care expenses or save for your future.
- ➔ You will be given a debit card which allows you to use the money deposited in your HSA to pay for qualified expenses.
- ➔ You can begin investing once your account balance reaches \$2,000. Investment options include mutual funds and a brokerage account option. Login to myFlexDollars.com to visit the investment prospectus under resources.



For the 2026 tax year, if you enroll in an HDHP, you and the state's contributions cannot exceed the following amounts in your HSA:

\$4,400 if you elect employee only coverage, \$8,750 if you elect family coverage, and if you are age 55 or older but not enrolled in Medicare, you can contribute an additional \$1,000 catch-up contribution to your HSA.



My HSA Planner:

Review your HSA savings to decide if you'd like to make an adjustment. Use My HSA Planner to learn the benefits of your short- and long-term HSA account benefits, and plan to grow your savings! Enter your expenses and savings goals, then My HSA Planner will provide personalized HSA results for your annual contribution target.

To enter your HSA contribution amount, log in to myFlexDollars.com and create an account.

Step 1: Go to myFlexDollars.com and register as a new user.

Step 2: Click the **Enroll/Change** button to begin.

Step 3: Click the **Quick Change** link on the top of the page.

Step 4: Scroll down to Your HSA benefits and click **Change to review/change your options**.

Step 5: Enter the amount you would like to contribute then click the **Save** button.

Step 6: Verify your elections and click the **Submit These Elections** button.

Step 7: Enrollment is complete – print or save a copy of your Confirmation Statement.

Commuter Plans

These flexible benefits allow you to pay for your work-related transit and parking costs. Up to \$325 per month (\$3,900 annually) in parking expenses and/or \$325 per month (\$3,900 annually) in mass transit expenses can be paid on a pre-tax basis when enrolled in the commuter plan. You can enroll in one or both of these great benefits. If you would like to change your election amount or waive coverage, you must take action by Dec. 5, 2025, or your current elections will automatically carry over to 2026.

Who is eligible?

All State of Ohio employees are eligible and there's no need to wait for Open Enrollment – you can sign up at any time! Log in to myFlexDollars.com to enroll in commuter benefits for January 2026. Commuter orders must be completed by the 5th of the month for the following month. Employees enrolled in commuter benefits will have the \$1.40 administrative fee payroll deducted once monthly.

How it works

- ➔ Designate your monthly deduction to go into your transit/parking account each month.
- ➔ Money that is placed in your account is used to pay for qualifying transit and parking expenses.
- ➔ You may only be reimbursed up to your current account balance at any given time.
- ➔ Use your Benefit Card to draw from your balance at any time, directly with your provider of choice!

Eligible expenses include: Transit Passes – A pass, token, fare card, voucher, etc. that allows you to travel to and from work on mass transit facilities, **Vanpooling** – Expenses for transportation in a commuter highway vehicle, and **Qualified Parking** – Parking near the work site or at a location from which you commute by carpool, commuter highway vehicle, etc. The parking space cannot be by your home.

Make the most of your commuter benefits

Simply decide how much to contribute to your commuter account up to the allowed monthly limit. The IRS sets the contribution limits. You may change your transit and parking elections at any time throughout the year based on your needs. Election changes must be submitted by the 5th of the month for the following month. All commuter benefit changes submitted by the 5th of the month will take effect on the 1st of the following month.

Available balances can be rolled over month to month, unless you terminate with the State of Ohio. Commuter funds will be forfeited at the end of the following month after you terminate employment. Expenses are only reimbursable if incurred while you are actively employed by the State of Ohio. Your last day to incur expenses for the plan is the date you terminate from your position. Be sure not to accumulate a balance that you will forfeit should you terminate. These are pre-tax funds and can only be used to pay for eligible commuter expenses. They cannot be refunded to participants per IRS code 1.132-9(b) Q/A 14(d).

Important: Transit and parking funds are considered two separate buckets of money and cannot be mixed. Be sure to calculate both your transit and parking expenses related to your daily commute, and elect contributions accordingly.

Reminder: If you are enrolled in a recurring parking reimbursement, ensure your account information remains accurate, including verifying garage details, payment method, and deduction amount. Timely updates help prevent delays or errors in processing your reimbursements. If your parking arrangements change, submit a new form through myFlexDollars or contact the Baker Tilly Vantage Employee Benefits Center for assistance.

How to use your commuter benefits

- You will be receiving benefit cards in the mail which you will use to pay your provider.
- Your prepaid benefits card can be used at authorized commuter and parking merchants including online and payment kiosks.
- If you are a new enrollee, you will receive your card in the month of December, and should immediately setup payment with your provider for January.
- If you choose to not use the benefit card and pay out of pocket for your parking expenses, you may also receive reimbursement by filing a claim at myFlexDollars.com or the mobile app (parking only).

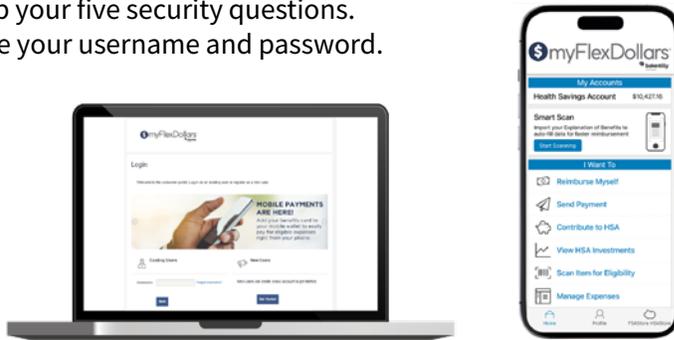
You can visit myFlexDollars.com at any time to access tools and resources and manage your expenses. This includes eligible expense lists, claim payout calendars, final service date, final filing date, plan documents, and your real-time account balance. Visit the resource section of the website to access detailed plan information and links.

myFlexDollars website and mobile app

- Access the online enrollment page to enroll or make changes.
- File claims on the go.
- Register your email address.
- Sign up for direct deposit.
- Check your real-time account balance.
- Add your dependents to your profile.
- Setup notification preferences in your message center.
- Begin, monitor, and update your investments.

If you are registering for the first time follow these important steps:

- 1) Go to myFlexDollars.com on your computer and select **Get Started**.
- 2) Verify your user Information (First Name, Last Name, ZIP Code, and Social Security number).
- 3) Set up your five security questions.
- 4) Create your username and password.



About your card: Your benefits card is the most convenient way to pay for qualifying expenses. It allows you to pay your provider directly from your account. Just be sure to activate and sign your card before using it. Only those with a new account will receive cards. You can give the second card to a spouse or dependent child (over the age of 18). If you do not need the second card, destroy it or keep it in a safe place. Your card is good for three years. Some items may require proof of eligibility, so be sure to maintain a file of all card receipts, statements, and itemized bills.

Need additional cards? Additional cards can be ordered for yourself or your dependents directly through the myFlexDollars.com website. To add an eligible dependent to your account, navigate to “Accounts—Profile Summary” enter your dependent information under “Dependents.” To request a card to be mailed, navigate to “Accounts—Profile—Banking/Cards.” Under the “Debit Card” section, you may request a card directly for each of your dependents. Please be advised there is a **\$5 fee** for any additional cards requested.



Download the FREE myFlexDollars mobile app



Accessing your FSA, HSA, & Commuter accounts



Your prepaid benefits card

Using the prepaid benefits card is the quickest and most convenient way to get reimbursed. Every time you swipe your card for an eligible expense, it automatically draws funds from your accounts, so there is no need to wait for reimbursement.



myFlexDollars.com

You can submit your claims conveniently online through myFlexDollars.com. Although reimbursement is not immediate, you have access to tools that make the process easier, such as the receipt upload tool.



MyFD mobile app

The myFlexDollars mobile app, MyFD, allows you to submit a claim on-the-go. Using your mobile device, simply choose the account type, the date, and the amount of your expense. Then use your device to take a picture of your receipt and upload it.*

*Please note that transit expenses cannot be submitted via mobile app. Transit expenses must be paid for using the pre-paid benefits card.

FSA FAQ

Question	Answer
Are pre-tax payroll deductions allowed?	Yes, up to the amount you “elect” during Open Enrollment up to the IRS limit.
Is the entire election available for reimbursement at start of plan year?	Yes (except dependent care FSAs)
Can funds roll over from year to year?	Amounts between \$50 and \$660 can be rolled over into the next year (except dependent care FSAs).
What distributions are allowed?	Debit Card, “Claim” – Request for reimbursement, or bill-pay online/mobile/paper
Is documentation (substantiation) required?	Required for manual claims and if a debit card claim cannot be automatically approved.
Do you have access to funds after termination?	You have until March 31, 2027, to file for reimbursement of claims incurred through the end of the month in which you terminate/retire. Access to your HCFSA or LPFSA may be offered through COBRA.
What expenses qualify for distribution?	Eligible expenses are determined by the type of FSA you are enrolled in. Medical FSA covers 213(d) eligible expenses including over-the-counter medication. Limited FSAs cover dental, vision and preventative care expenses. Dependent care FSA plans cover eligible dependent care expenses that allow you to work out of the home.



Benefit cards are automatically restricted for use with medical, dental, and vision service providers and for items purchased at retail that are identified as qualified medical expenses based on merchant category codes.

Employee contribution limits are announced by the IRS. The current limit for an HCFSA or LPFSA cannot exceed \$3,300 per IRS Rules.



Appeals

You are entitled to request a review of any claim that has been denied. The request must be submitted within a reasonable period of time not to exceed 180 days.

Request for review of claims that have been denied should be directed to:
Baker Tilly Vantagen
1200 Abington Executive Park
Clarks Summit, PA 18411

You will be notified of the decision regarding your appeal in writing by Baker Tilly Vantagen within 30 calendar days of receipt of your written appeal.

COBRA Continuation

If you are COBRA eligible and retire or terminate employment with the State of Ohio, you will receive a packet with additional information regarding your COBRA coverage option. The packet will provide instructions for next steps and contact information. If you have unspent contributions in your HCFSA or LPFSA, you may continue your HCFSA or LPFSA (on a post-tax basis) only for the remainder of the plan year in which your qualifying event occurs. However, if you have already used or been reimbursed more than you have contributed, you cannot continue the HCFSA or LPFSA under COBRA.

Terminated and/or Retirement of Employment

If your employment is terminated and/or retired and you choose not to enroll in COBRA, your benefits will terminate at the end of the month in which the event occurred. You will have until March 31 of the following year to file claims incurred through the end of the month in which they terminated and/or retired. Any unclaimed funds will be forfeited according to IRS regulations.



MAIL OR FAX COMPLETED FORMS TO:
 Baker Tilly Vantagen
 c/o The Benefits Service Center
 1200 Abington Executive Park,
 Clarks Summit, PA 18411
 FAX: 866-409-0946

State of Ohio
Department of Administrative Services

2026 Spending Account Enrollment Form
 FSA Benefit Period Start Date: January 1, 2026
 FSA Benefit Period End Date: December 31, 2026
 Last Day to Incur Expenses for Reimbursement: December 31, 2026
 Last Day to Submit Claims: March 31, 2027

Instructions

Complete this form only if you wish to participate in a health care, dependent, or limited care flexible spending account (FSA) or a commuter plan during the Open Enrollment period. These Spending Accounts will be administered by Baker Tilly Vantagen powered by their myFlexDollars platform.

The contribution amounts listed below apply to the FSA benefit period that runs from Jan. 1 through Dec. 31, 2026. When you make your election below, the amount you enter into the space provided applies to this benefit period. Deductions will be made from your pay based on the number of pay periods remaining in the year (24 when enrolling during the FSA Open Enrollment period).

Employee Profile *Please print

Effective date:	_____	Employee #:	_____
Employee name:	_____	Daytime phone #:	_____
Address:	_____	Email address:	_____
	_____	Date of birth:	_____

FSA Elections

To elect the FSAs, please indicate below the dollar amount that you would like to contribute to your account annually. When you enroll after the plan year start date, your per pay deduction amount is based on the amount you elect and the number of pay periods remaining until the plan year start date.

Yes, I would like to elect the health care FSA (HCFSA) benefit.

My **annual** contribution is \$ _____ (maximum of \$3,300) ÷ 12/24 pay periods = \$ _____
 Your Cost Per Pay Period

Yes, I would like to elect the dependent care FSA (DCFSA) benefit.

My **annual** contribution is \$ _____ (maximum of \$7,500) ÷ 12/24 pay periods = \$ _____
 Your Cost Per Pay Period

Yes, I would like to elect the limited purpose FSA (LPFSA) benefit.

My **annual** contribution is \$ _____ (maximum of \$3,300) ÷ 12/24 pay periods = \$ _____
 Your Cost Per Pay Period

Commuter Plan Election

Yes, I would like to contribute \$ _____ per month to the pre-tax transit plan. (Up to a maximum of \$325)

Yes, I would like to contribute \$ _____ per month to the pre-tax parking plan. (Up to a maximum of \$325)

I hereby authorize these elections for the 2026 benefit period. I authorize the State of Ohio to reduce my salary by the agreed upon amount. Before the start of each plan year, I will be provided with the opportunity to change my benefit election for the new benefit period. If I do not complete this form and submit a new election at that time, my Flexible Spending Accounts will be closed and no deductions will be taken during the new plan year.

Signature _____

Date _____



Date: August 4, 2021
Updated: January 1, 2025

MEMORANDUM

TO: OEC PERMANENT STAFF

FROM: JO ELLEN ALBANESE, HR DIRECTOR

SUBJECT: MANDATORY MEDICARE COVERAGE FOR ALL NEW EMPLOYEES HIRED AFTER APRIL 1, 1986

Pursuant to a bill passed by the Federal Government, Medicare coverage will be extended, on a mandatory basis, to all newly hired employees.

For any employee hired after April 1, 1986, a deduction in the amount of 1.45 percent must be made from such employees' bi-weekly salary. Such deduction will be contributed to the insurance portion of the FICA tax and the employee will earn credit toward Medicare eligibility based on his/her covered earnings.

A newly hired employee includes all appointment types hired after April 1, 1986. The definition also includes an employee who has transferred to the state from a county, municipality or local township. An employee transferring from one state agency to another is NOT considered a new employee and would not therefore be subject to the 1.45 percent deduction. For this reason, it is imperative that any transfer from one state agency to another be coded as a transfer on the Personnel Action.

It is also necessary to immediately notify any new hire of this policy, as their salary will be reduced by the 1.45 percent deduction.

If you have any questions on this matter, please call me at 614-644-4015.



STATE OF OHIO EMPLOYEES

MyBenefits

July 1, 2025 – June 30, 2026

Highlights for the Upcoming Benefit Year Effective July 1, 2025:

VSP Vision Care assumes management of the state's vision program for exempt employees

New: Diabetes reversal program offered to those with type 2 diabetes

The Ohio Med NN medical plan option will be renamed "Ohio Med Select"

Open Enrollment

May 8 – May 21



Department of
Administrative
Services

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Your Service to Ohioans is Greatly Appreciated

The State of Ohio is committed to providing you and your family value and quality in health care.

The state leverages its position as one of Ohio's largest employers to offer affordable, competitive health care plans that provide excellent service and coverage.

This guide offers several resources on how you can find cost-saving tools that provide the same quality care at a lower cost.

The state's health care plans are self-funded, meaning that the state directly pays for the costs of all benefit claims. Your commitment to being a conscientious consumer helps us to maintain affordable and comprehensive health care plans.

HIGHLIGHTS FOR THE UPCOMING BENEFIT YEAR:

- New diabetes reversal program: Page 11
- VSP Vision Care to manage exempt vision program: Page 16
- The Ohio Med NN medical plan option will be renamed "Ohio Med Select" effective July 1, 2025. There are no changes to the benefits.



Benefits Open Enrollment Information

The Open Enrollment period is Thursday, May 8 through Wednesday, May 21, 2025. This is the time to review your current health coverage and decide which plan option best meets your needs for the upcoming benefit year from July 1, 2025, through June 30, 2026.

For details and information about the benefit programs available for enrollment, below is a breakdown of where to find the information you need based on the benefit program and your job classification:

Medical

- All Employees: Visit [DAS.Ohio.gov/OpenEnrollment](https://das.ohio.gov/OpenEnrollment).

Dental and Vision

- Exempt Employees: Visit [DAS.Ohio.gov/OpenEnrollment](https://das.ohio.gov/OpenEnrollment).
- Union-Represented Employees: Visit BenefitsTrust.org.

Supplemental Life Insurance

- Exempt Employees: Visit [DAS.Ohio.gov/OpenEnrollment](https://das.ohio.gov/OpenEnrollment).
- Union-Represented Employees: Visit BenefitsTrust.org.

About Your State of Ohio Benefits

Benefits Provided by the State of Ohio

Your health benefits include medical, telehealth, prescription drug, behavioral health, dental, vision, and the wellness program – known as Take Charge | Live Well. The benefit year runs from July 1 through June 30, during which services are rendered and your deductible and coinsurance are accumulated.

Summary of Benefits and Coverage

A requirement of the Patient Protection and Affordable Care Act, the Summary of Benefits and Coverage (SBC) is a concise document that details simple and consistent information about health plan benefits and coverage. It describes the basics of your coverage and allows you to compare different coverage options. It summarizes the key features of each plan, such as covered benefits, cost-sharing provisions, and limitations and exceptions. All insurance companies and group health plans must use the same standard SBC form. The SBC also contains a link to the required Uniform Glossary, which provides definitions of many commonly used health coverage and medical terms. For each document, visit [DAS.Ohio.gov/AboutMyBenefits](https://das.ohio.gov/AboutMyBenefits) and click the **Summary of Benefits and Coverage** tile.

State of Ohio Health Plans are Self-Funded

All State of Ohio health plans are self-funded programs. This means the cost of benefits is funded by contributions from you and the State of Ohio. All claims for services and procedures are paid directly from these contributions. When the amount of claim payments is greater than the amount of contributions from employees and the state, medical costs to the fund increase. Increased medical costs may cause an increase in the contribution amounts needed for future years.

Employee Contributions: 15%

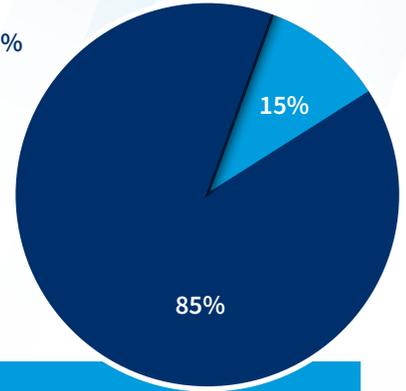
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State Contributions: 85%

=

Total Contribution Available to Pay Claims

(Example of the Ohio Med PPO medical plan option.)



ENROLLMENT PERIODS

Spring Open Enrollment May 8 through May 21, 2025

Medical: Ohio Med Plan

Your overall medical benefits are under one plan comprised of the medical program and other benefit programs, each administered by a third-party administrator that offers provider networks with negotiated rates and oversees payment of your benefits.

Employees are assigned their third-party administrator based on the region where they live but may choose the specific plan option that works best for them: The Ohio Med PPO (preferred provider organization), Ohio Med HDHP (high deductible health plan), and Ohio Med Select (name change from Ohio Med NN effective July 1, 2025). Medical plan benefits include:

- Prescription Drugs
- Wellness – known as Take Charge | Live Well
- Behavioral Health
- Telehealth

Other Benefit Programs

Additional benefit programs eligible for enrollment during spring Open Enrollment include:

- Dental
- Vision
- Supplemental Life Insurance

This guide informs you and your family about benefits available this coming benefit year, which begins July 1. Eligible employees can elect to enroll or disenroll themselves and/or their dependents in medical, dental, vision, and supplemental life insurance coverage during the Open Enrollment period.

If you already are enrolled in benefits:

1. **Review your Benefits Summary** by logging into [myOhio.gov](https://myohio.gov) and clicking **My Workspace** to access benefit information for you and any dependents.
2. **Ensure any dependents still meet the eligibility requirements** by visiting [DAS.Ohio.gov/Eligibility](https://das.ohio.gov/Eligibility).

If you wish to waive your current health care coverage, you will need to do so during Open Enrollment.

If you do not have any changes to your coverage, no additional action is required.

To add a dependent to your coverage during Open Enrollment, you will be required to submit proof of eligibility when adding them in the system. You are encouraged to gather all documentation needed before taking action in the system, but you should take action regardless if there are changes needed to ensure that you do not miss the open enrollment period. For a list of required documentation, review the Change in Status/Qualifying Events Matrix at [DAS.Ohio.gov/AboutMyBenefits](https://das.ohio.gov/AboutMyBenefits).

Fall Open Enrollment October 14-24, 2025

Flexible Spending Accounts Only

The fall Open Enrollment period offers employees the opportunity to enroll in flexible spending accounts for the 2026 calendar year Jan. 1 through Dec. 31, which include:

- Health Care Flexible Spending Accounts
- Limited Purpose Flexible Spending Accounts
- Dependent Care Flexible Spending Accounts

Enrollment in a flexible spending account is not automatic and must be completed each year during the FSA Open Enrollment period in the fall.

Union Benefits Trust

The Union Benefits Trust (UBT) offers dental, vision, and life insurance benefits for union-represented employees after one year of continuous state service is completed. While enrollment is completed using [myOhio.gov](https://myohio.gov), any questions about eligibility or plan design should be directed to UBT at 800-228-5088 or CustomerService@BenefitsTrust.org. You can also find more information at BenefitsTrust.org. The same benefits for exempt employees are managed by the Ohio Department of Administrative Services.

OPEN ENROLLMENT CHECKLIST

Take the actions below to ensure you are fully prepared for Open Enrollment and to access your benefits throughout the benefit year.

- If you currently are enrolled in medical benefits with the state, review your coverage at **myOhio.gov>My Workspace>myBenefits>Benefits Summary**. Review and verify the eligibility of your dependent(s).
- Confirm your medical third-party administrator.
- Based on the first three digits of your home ZIP code as shown on the chart below, your medical third-party administrator is (check one).
 - Anthem
 - Medical Mutual of Ohio (MMO)

Medical Third-Party Administrator ZIP Code Area	
Third-Party Administrator	ZIP Code Starts With...
Anthem	437, 438, 439, 444, 445, 450, 451, 452, 453, 454, 455, 456, 457, 458, and Out of State
Medical Mutual of Ohio	430, 431, 432, 433, 434, 435, 436, 440, 441, 442, 443, 446, 447, 448, and 449

Medical

- Anthem: [EnrollmentAnthem.com/StateofOhio](https://enrollment.anthem.com/stateofohio)
 - Download Anthem’s “Sydney Health” app.
- Medical Mutual: [StateofOhio.MedMutual.com](https://stateofohio.medmutual.com)
 - Download the Medical Mutual of Ohio app.
- Confirm your medical and other health care providers are in the network.**
 - Go to your third-party administrator’s website to search for your providers.
- Determine the medical plan option that best suits the needs of you and your family.**
 - Ohio Med PPO
 - Ohio Med Select (name change from Ohio Med NN effective July 1, 2025)
 - Ohio Med HDHP with a Health Savings Account

Take Charge | Live Well

- Go to [DAS.Ohio.gov/Wellness](https://das.ohio.gov/wellness) and click **The Hub** tile.
- First-time users must create a personal username and password.
- Access all of your benefits programs via the Hub, [Join.PersonifyHealth.com/StateofOhio](https://join.personifyhealth.com/stateofohio).

Prescription Drug

- OptumRx: [OptumRx.com](https://optumrx.com)
 - Prescription drug coverage is included if you enroll in the medical plan.
 - Download the OptumRx app.

Telehealth

- Complete your registration for LiveHealth Online.** Be prepared to connect with a doctor or physician through your mobile device or webcam when the need arises.
 - To complete your registration, log in to [LiveHealthOnline.com](https://livehealthonline.com) or download the LiveHealth Online mobile app.
 - You do not need to be currently enrolled or provide your payment information to register.

Dental and Vision (For Exempt Employees)

- A printed benefit card is optional and can be requested from the respective vendor below.
- Verify dependent eligibility (see [DAS.Ohio.gov/Eligibility](https://das.ohio.gov/eligibility)).
- Download the vendor apps.

Dental

Delta Dental of Ohio: [DeltaDentalOh.com](https://deltadentaloh.com)

Vision

VSP Vision Care: [VSP.com](https://vsp.com)

Dental and Vision (For Union-Represented Employees)

Visit the Union Benefits Trust website: [BenefitsTrust.org](https://benefitstrust.org).

Supplemental Life

For Exempt Employees

Securian Financial: [LifeBenefits.com](https://lifebenefits.com).

For Union-Represented Employees

Union Benefits Trust: [BenefitsTrust.org](https://benefitstrust.org).



MEDICAL

The State of Ohio is committed to offering quality comprehensive medical coverage for you and your family. The state offers one medical plan: Ohio Med. To provide you with medical coverage that best meets your needs, there are three medical plan options from which to choose. The following chart lists the differences between the medical plan options. To help you decide which plan is right for your family, go to DAS.Ohio.gov/Medical and click the **Compare the Medical Plan Options** tile.

Medical Plan Ohio Med is the one plan for those who enroll in medical benefits.	<h1>Ohio Med</h1>		
Medical Plan Administrators Determined by your home ZIP code	<h2>Anthem and Medical Mutual of Ohio</h2>		
Medical Plan Options Three plan options available to you.	Ohio Med PPO Preferred Provider Organization	Ohio Med Select Smaller plan with higher quality service	Ohio Med HDHP High Deductible Health Plan
Covered Services	Same across all plans	Same across all plans	Same across all plans
Premium: Biweekly or monthly employee contribution	Highest	Lowest; but there is no out-of-network benefit	Lower than PPO, but there are no copays, only coinsurance
Deductible: Amount that must be paid by employee before plan pays for some portion	Lower	Lowest	Highest
Out-of-network Access	Yes	No, only in emergency	Yes
Copay: Amount employee must pay for a specific service until the out-of-pocket maximum is met (e.g., visit to doctor)	Same as Select plan	Same as PPO plan	None; employee must pay the entire amount of service until the deductible is met
Deductible in family plan	Each person in family plan must first meet the individual deductible, or the combined family deductible, before plan pays	Each person in family plan must first meet the individual deductible, or the combined family deductible, before plan pays	Entire family deductible must be met before plan pays; one member can meet the entire family deductible
Prescription out-of-pocket maximum	Separate from medical	Separate from medical	Combined with medical
Prescription costs	Do not count toward medical out-of-pocket maximum	Do not count toward medical out-of-pocket maximum	Count toward the out-of-pocket maximum
Network	Large network	Smaller network committed to higher coordination of services	Large network
Health savings account with employer contribution	No	No	Yes

Medical Plan Options

Why Your Medical Plan Option Decision Matters

The state offers three medical plan options. Your decision could have a direct effect on your flexible spending account (FSA) options, should you choose to enroll in an FSA in the fall of 2025 for the 2026 calendar year.

Depending on the needs of you and your family, it is strongly recommended that you search the network of your administrator. To help determine whether your primary care provider, specialist, or hospital system is included in the medical plan option, visit the websites below for your medical plan administrator:

Medical Mutual of Ohio: StateofOhio.MedMutual.com

1. Click **Find a Provider** in the top menu.
2. Under Search By Plan, choose your preferred medical plan option.

Anthem: Anthem.com/Find-Care

1. Click the **Guests** tile
2. From the dropdown questions, select:
 - **Medical**
 - **Ohio**
 - **Medical (Employer-sponsored)**
 - **Blue Access PPO or Blue Connection (BLUEHPN)**

Important Points About the Ohio Med HDHP

The deductible must be reached first before the plan pays toward any of your medical, pharmacy, or behavioral health costs. If you have family coverage, the plan will begin to pay only after your entire family deductible has been met. This is especially important to understand if a major medical expense or a high-cost specialty drug needs to be covered within the first few days, weeks, or months of the Ohio Med HDHP plan taking effect.

For an in-network example, if your medical coverage begins July 1 and a health care emergency occurs in July, you should ensure you can pay the full out-of-pocket cost (including the deductible) for the plan option that you selected: either single coverage at \$3,500 or family coverage at \$7,000. After you meet your deductible (either \$2,000 or \$4,000 in-network), the plan would cover expenses at 80%. After the full amount of the out-of-pocket maximum is paid, the plan would cover expenses at 100%. It is important to note that unlike the Select and PPO plan options, prescription costs are combined with medical to meet your out-of-pocket maximum under the HDHP.

Specialty drugs could have a high cost (even into the thousands of dollars). Your deductible is used to pay for the specialty drug before the plan will pay. To help you pay for any initial health care costs, the State of Ohio will make contributions to your HSA every pay period during the upcoming benefit year.

For eligibility details, visit DAS.Ohio.gov/Eligibility.



HEALTH SAVINGS ACCOUNT

Available With the Ohio Med HDHP Plan

Save Smart With a Health Savings Account

The Health Savings Account (HSA) is funded by employer and employee contributions on a pre-tax basis to help pay for eligible medical expenses, including deductibles and coinsurance. The HSA is only available as part of the Ohio Med HDHP option and automatically comes with the HDHP.

An HSA is set up online through Baker Tilly Vantage, myFlexDollars.com, similar to an account at a brick-and-mortar bank. An HSA is your personal bank account and allows you to manage your funds.

- HSA funds are yours to keep.
- There is no “use it or lose it” rule at the end of the year.
- HSA funds stay with you even if you change jobs, leave employment with the State of Ohio, or retire.
- After reaching an investment threshold of \$2,100, you can:
 - Invest in the mutual funds offered from Baker Tilly Vantage.
 - Move investments from various funds.
 - Transfer money between your HSA and your investment account.

HSA Employee Contribution

From Jan. 1, through Dec. 31, 2025, the HSA contribution limit for individual coverage is \$4,300 and the limit for family coverage is \$8,550. If you are 55 years of age or older, you may make a catch-up contribution up to \$1,000. You can use these savings to contribute to the HSA.

HSA Employer Contribution

To help get your HSA started, the State of Ohio will make contributions to your HSA if you select the Ohio Med HDHP option. You could receive up to \$1,000 for single coverage and up to \$2,000 for family coverage, paid in installments during the benefit year. The employer contribution is prorated for new hires. If you are eligible for, and enroll in, the Ohio Med HDHP option, you will receive the employer contribution for each year you are enrolled. The employer contribution counts toward your annual maximum.

State of Ohio's Contributions to Help Start Your HSA

The 2025 installment schedule is
\$1,000 for single and \$2,000 for family
and is distributed per pay throughout the year.

For example, if enrolled in the family HDHP,
approximately \$76 will be deposited in your HSA
account per biweekly pay period.

*Employees who choose the PPO or Select medical plan options are not eligible for an HSA but may choose to enroll in a flexible savings account (FSA). FSAs are tax exempt and are funded solely by employee contributions. Open Enrollment for Flexible Spending Accounts is in the fall.

Three Ways to Receive Tax Savings

Typically, you:

- Won't pay tax on money deposited in the HSA (although the IRS limits how much can be contributed each year).
- Won't pay tax on qualified medical expenses, including dental and vision expenses.
- Grow your savings tax-free, which can be used for expenses now or in retirement.

Easy Access to Your Account

Through the myFlexDollars mobile app or website, you can:

- Track balances and transactions.
- Make an HSA contribution.
- Capture and submit receipts.
- Learn how to maximize your HSA.

For more information, go to myFlexDollars.com.



When comparing the Ohio Med PPO and Ohio Med Select medical plan options, the Ohio Med Select only covers in-network providers for non-emergency events. Regardless of the plan you choose, you can access cost-comparison tools found on your medical and prescription drug third-party administrator websites. Use these tools to determine how you can save on expenses for services such as nurse lines, telehealth, doctor visits, retail clinics, and urgent care clinics.

Comparing Medical Plan Options					
		Ohio Med PPO and Ohio Med Select		Ohio Med HDHP	
		In-Network Providers <i>(PPO and Select)</i>	Out-of-Network Providers <i>(PPO Only)</i>	In-Network Providers	Out-of-Network Providers
Deductible	Single	\$400	\$800	\$2,000	\$4,000
	Family	\$800	\$1,600	\$4,000	\$8,000
Office Visits	Doctor	\$30	\$50	Deductible/ 20% Coinsurance	Deductible/ 40% Coinsurance
	Specialist	\$35	\$55	Deductible/ 20% Coinsurance	Deductible/ 40% Coinsurance
Out-of-Pocket Maximum	Single	\$2,500 Medical/ Behavioral Health Combined	\$5,000 Medical/ Behavioral Health Combined	\$3,500 Medical/ Behavioral Health/ Pharmacy Combined	\$7,000 Medical/Pharmacy/ Behavioral Health Combined
	Family	\$5,000 Medical/ Behavioral Health Combined	\$10,000 Medical/ Behavioral Health Combined	\$7,000 Medical/ Behavioral Health/ Pharmacy Combined	\$14,000 Medical/Pharmacy/ Behavioral Health Combined
Prescription Drugs	Retail (30-day supply)	\$10 / \$40 / \$75	N/A	Deductible/ 20% Coinsurance	N/A
	Home Delivery (90-day supply)	\$25 / \$100 / \$187.50	N/A	Deductible/ 20% Coinsurance	N/A
	Pharmacy Out-of-pocket Limit	\$3,500 / \$7,000	N/A	Included in Medical	Included in Medical

Medical Care Comparison - Where To Go For Care			
	Ohio Med PPO and Ohio Med Select	Ohio Med HDHP	
	Doctors in Your Plan	Doctors in Your Plan	Average Cost
Preventive Care	100%	100%	\$0
Telehealth Services	\$15	Deductible/Coinsurance	\$59
Doctor Visits	\$30	Deductible/Coinsurance	\$127
Specialist Visits	\$35	Deductible/Coinsurance	\$152
Retail Health Clinics	\$30	Deductible/Coinsurance	\$55
Urgent Care Clinic	\$40	Deductible/Coinsurance	\$107
Free Standing or Hospital Emergency Room	\$150 / 20%	Deductible/Coinsurance	\$1,540

Ohio Med Contributions

	Ohio Med PPO Contributions		Ohio Med Select Contributions		Ohio Med HDHP Contributions	
Employee/State Contributions² (Work 30 or more hours a week, full-time, paid bi-weekly)						
	Employee Share	State Share	Employee Share	State Share	Employee Share	State Share
Single	\$74.65	\$421.93	\$49.19	\$421.93	\$50.00	\$448.20
Family Minus Spouse	\$204.60	\$1,158.32	\$134.69	\$1,158.32	\$87.34	\$784.18
Family Plus Spouse ¹	\$213.83	\$1,158.32	\$143.92	\$1,158.32	\$149.55	\$1,344.13
Single Plus Spouse	N/A	N/A	N/A	N/A	\$112.22	\$1,008.16
Employee/State Contributions 50% (Work 20-29.99 hours a week, paid bi-weekly)						
	Employee Share	State Share	Employee Share	State Share	Employee Share	State Share
Single	\$248.29	\$248.29	\$235.56	\$235.56	\$249.10	\$249.10
Family Minus Spouse	\$681.46	\$681.46	\$646.50	\$646.51	\$435.76	\$435.76
Family Plus Spouse ¹	\$690.69	\$681.46	\$655.73	\$646.51	\$746.84	\$746.84
Single Plus Spouse	N/A	N/A	N/A	N/A	\$560.19	\$560.19
Employee/State Contributions² (Work 30 or more hours a week, full-time, paid monthly)						
	Employee Share	State Share	Employee Share	State Share	Employee Share	State Share
Single	\$161.74	\$914.19	\$106.55	\$914.19	\$108.34	\$971.11
Family Minus Spouse	\$443.29	\$2,509.65	\$291.86	\$2,509.65	\$189.23	\$1,699.03
Family Plus Spouse ¹	\$463.29	\$2,509.65	\$311.86	\$2,509.65	\$324.03	\$2,912.29
Single Plus Spouse	N/A	N/A	N/A	N/A	\$243.15	\$2,184.34
Employee Contributions at 100% (Work up to 19.99 hours a week, paid bi-weekly)						
	Employee Share		Employee Share		Employee Share	
Single	\$496.58		\$471.12		\$498.20	
Family Minus Spouse	\$1,362.92		\$1,293.01		\$871.52	
Family Plus Spouse ¹	\$1,372.15		\$1,302.24		\$1,493.68	
Single Plus Spouse	N/A		N/A		\$1,120.38	
Employee Contributions at 100% (Work up to 19.99 hours a week, paid monthly)						
	Employee Share		Employee Share		Employee Share	
Single	\$1,075.93		\$1,020.74		\$1,079.45	
Family Minus Spouse	\$2,952.94		\$2,801.51		\$1,888.26	
Family Plus Spouse ¹	\$2,972.94		\$2,821.51		\$3,236.32	
Single Plus Spouse	N/A		N/A		\$2,427.49	

These employee rates represent the total amount that will be contributed from your paycheck.

¹ The Ohio Med PPO and Ohio Med Select Family Plus Spouse rates include a \$20 per month charge to cover a spouse. For those who receive paychecks biweekly, the Family Plus Spouse rates include a \$9.23 per pay charge to cover a spouse.

² The Ohio Med PPO employee contributions are set at 15% and the Ohio Med Select state share contributions are the same as the Ohio Med PPO. The Ohio Med HDHP employee contributions are set at 10%.

COST-SAVINGS TOOLS

Be a Better Health Care Consumer

Being a smart consumer and making informed choices are ways to keep your cost and the state's cost of medical claims down. You can start by choosing a primary care physician and keeping regular visits. Developing a relationship with your physician can reduce trips to the emergency room or urgent care facility. Taking advantage of preventive care coverage is another way to stay healthy.

Recommended: To determine which plan design best fits your needs, use the cost comparison tools from your medical third-party administrator (Anthem or Medical Mutual of Ohio) to determine your annual health care spending needs and trends. For the cost comparison tools provided by Anthem and Medical Mutual of Ohio, see the Did You Know section to the right.

Did You Know...

Providers in your network may charge significantly different rates for the same procedure. Similar to searching for a new car, to find the best price, it's best to do comparison shopping.

Whether you're needing lab work, X-rays, or a medical procedure, researching the costs at different providers could help you save money.

To best manage your health care spend, go to your third-party administrator's website and use the cost comparison tool.

Anthem:

EnrollmentAnthem.com/StateofOhio

Medical Mutual of Ohio:

StateofOhio.MedMutual.com

OptumRx

OptumRx.com

Shopping for the Right Care:

How to Save Money and Ensure Quality Standards

Finding The Right Care		
Options	What It Is	Best For
24-Hour Nurse Lines (Free)	Talk with a nurse Anthem: 800-337-4770 Medical Mutual: 888-912-0636	Non-life-threatening health-related questions or concerns
Telehealth Services \$	Visiting with a doctor, therapist, or psychiatrist via a smartphone, tablet, or computer with a webcam using LiveHealth Online	Getting care 24/7 easily and conveniently for cold/flu, sinus infections, coughs, sore throats, and behavioral health services
Doctor's Office \$\$	Visiting your primary care physician or a physician within your third-party administrator's network	Check-ups, physicals, infections, minor sprains, sore/strep throat, coughs, cold/flu, vaccines
Walk-in Clinic \$\$	Clinic in retail store or pharmacy staffed by nurse practitioners	Basic care: Ear/sinus infections, sore/strep throat, minor sprains, bronchitis, coughs, cold/flu, vaccines
Urgent Care Center \$\$\$	Self-standing center or located in health facility; staffed by physicians and nurses	Serious, non-life-threatening care: Fractures or sprains needing X-rays, deep cuts needing stitches, severe rashes
Emergency Room \$\$\$\$	Free-standing or hospital department open 24/7; staffed and equipped for life-threatening care	Threats to life or limb: Chest pain, difficulty breathing, seizures, major fracture, head trauma, bleeding, allergic reaction, loss of consciousness

Where to Get Care

Non-Emergency

Your third-party administrator can assist with finding quality in-network care at a lower cost.

- Anthem: 800-337-4770
- Medical Mutual: 888-912-0636

Home/Local

- Call your primary doctor.
- He/she knows you and your health best.

After-Hours or Traveling

- Call your doctor for advice, if possible.
- Ask questions and understand your options if he/she isn't able to see you.
- Contact LiveHealth Online via the app or your webcam.

Need Surgery? Choose Wisely

Compare Hospitals

- Leapfrog Group Hospital Safety Score: HospitalSafetyGrade.org.
- Gold standard: Measures quality, safety, performance, and transparency.
- Review results online at no cost.
- Medicare: Medicare.gov/HospitalCompare
- Find and compare providers near you.

Source: Health Action Council



NEW: DIABETES REVERSAL PROGRAM

Get control of your health — lose weight and reverse type 2 diabetes with Virta.

The new diabetes reversal program will be available July 1, 2025, for state employees and their family members with type 2 diabetes.

Virta is your guided nutrition program to lower your blood sugar, potentially reverse diabetes*, and get you off unwanted medications — available at no cost to you.

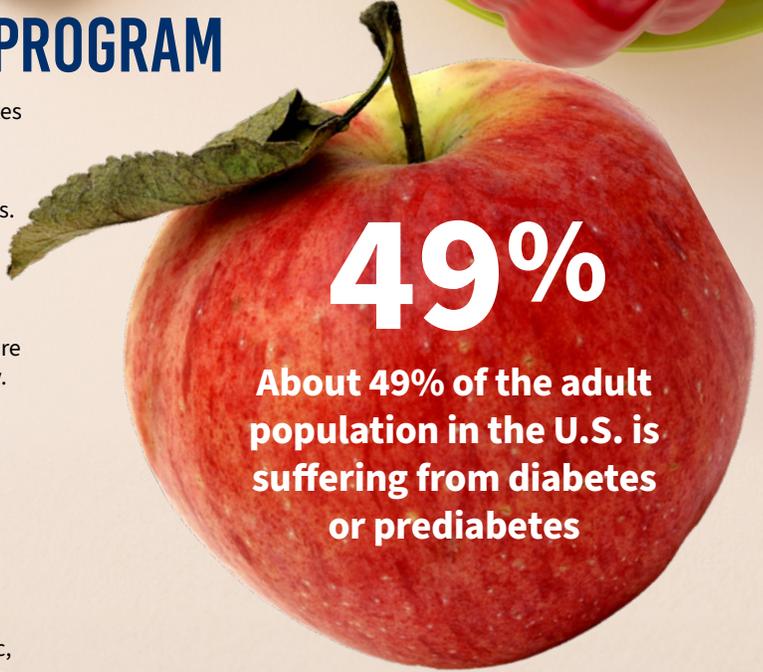
Personalized and flexible to your lifestyle, learn to eat foods that are right for you. No injections, fad diets, or extra gym visits necessary.

Get ongoing, expert support from Virta, including:

- A one-on-one health coach and medical provider
- A digital weight scale and connected meter that syncs with your phone
- A personalized nutrition plan backed by clinical research

According to Virta, about 49% of the adult population in the U.S. suffers from diabetes or prediabetes. If you are within that statistic, you can make the decision to change your life — and Virta can help.

Transform your health and begin to live the life you want — without medication.



49%

About 49% of the adult population in the U.S. is suffering from diabetes or prediabetes

**Reversal on Virta is defined by reaching HbA1c below 6.5% without the use of diabetes medications beyond metformin. Diabetes and related issues can return if lifestyle changes are not maintained.*

Centers of Excellence: Get Specialized Care and Save

What it is: A center of excellence is a program within a health care institution assembled to have a high concentration of expertise and related resources centered on a particular area of medicine, delivering associated care in a comprehensive, interdisciplinary fashion to work toward improving patient outcomes.

Why it's important: At a center of excellence, a team of health care providers who specialize in one medical area work together to provide a higher level of service, demonstrate patient safety practices, and deliver better results and outcomes.

Specialized procedures: The following procedures are covered by the third-party administrators under the centers of excellence designation:

- Bariatric surgery
- Transplants
- Cardiac
- Spine surgery
- Cancer

How you can benefit: Because the medical team specializes in a specific area of care, costs may be less, and there may be a value-added benefit to improve overall health care outcomes.

SUICIDE PREVENTION You could save a life ... possibly your own

If you are, or someone you know is, contemplating or may be at risk of attempting suicide, there is hope. Call the 988 Suicide & Crisis Lifeline available 24/7. Call, text, or chat 988 to be connected to trained counselors who are part of the Lifeline network. If there is an emergency or you think you may harm yourself, call 911 immediately.



For resources about suicide prevention, visit and enter the Web ID: OhioEAP.

TELEHEALTH

Get the Medical Treatment and Advice You Need Quicker for Minimal Cost

Telehealth Services – Livehealth Online

Don't have time to go to the doctor? Feeling under the weather? Don't want to fight traffic to get to the doctor? Searching for care after hours?

Without leaving your home, LiveHealth Online allows you to:

- Visit with a doctor through live video chat 24/7.
- Select your choice of U.S. board-certified doctors from among those available at the time of service.

Video chat with a board-certified doctor or psychiatrist, or licensed therapist. The doctor can assess your condition, recommend a treatment plan, and even prescribe basic medications (not narcotics or controlled substances) for pickup at a nearby pharmacy.

Visit with a licensed therapist or board-certified psychiatrist. When stress, anxiety, or depression occurs, talking with a therapist online may be the most convenient solution. In most cases, an appointment can be made to talk with a therapist in four days or less.

Save time and money. Download the free LiveHealth Online app on your mobile device to get the care you need by video chatting with a doctor online for the following conditions and more:

- Flu
- Allergies
- Headache
- Cold
- Fever
- Pink eye
- Sore throat
- Skin infection
- Tooth pain
- Minor rash
- Behavioral health
- Stress
- Anxiety
- Depression

With just a \$15 copay for the Ohio Med Select and Ohio Med PPO or \$59 or less for the Ohio Med HDHP, LiveHealth Online costs much less than a trip to an emergency room, an urgent care center, or even a walk-in clinic. Prices vary for behavioral health visits for HDHP members: up to \$80 for a therapist, \$95 for a psychologist, \$175 for an initial visit with a psychiatrist, and \$75 for follow-up visits. For details about the state's telehealth services, visit [DAS.Ohio.gov/Telehealth](https://das.ohio.gov/Telehealth).

LiveHealth Online Registration

Employees enrolled in the State of Ohio medical plan have been pre-registered in LiveHealth Online. Go to the LiveHealth Online website, LiveHealthOnline.com, or the mobile app. Complete the registration process so you're ready to use telehealth when it's needed. Spouses will need to create their own account.

For life-threatening health situations, call 9-1-1 or go to an emergency room for immediate assessment and treatment.



24-Hour Nurse Lines Offer Free Consultation

For non-life-threatening health-related questions, employees enrolled in the State of Ohio medical plan may contact the 24-Hour Nurse Line provided by your medical third-party administrator.

Anthem: 800-337-4770

Medical Mutual of Ohio: 888-912-0636

Calling the free nurse line can help you obtain the answers to your health-related questions wherever you are, whenever you need it.

Preventive Care: Stay Healthy, Save Money

Preventing and detecting disease early is important to living a healthy life. The better your health, the lower your health care costs are likely to be. One of the most important healthy actions you can take is to schedule regular check-ups and screenings with your primary care physician.

The Ohio Med Select, Ohio Med PPO, and Ohio Med HDHP medical plan options offer many services with no deductible, no copayment, and no coinsurance for network providers. Other services are available for the normal copayment, coinsurance, and deductible amounts.

For a list of exams, screenings, and immunizations covered at no cost, visit [DAS.Ohio.gov/Medical](https://das.ohio.gov/Medical), and click the **Preventive Care** tile.

ABOUT YOUR COMPLETE MEDICAL COVERAGE

As an eligible employee enrolling in medical coverage – whether you choose the Ohio Med PPO, Ohio Med Select, or the Ohio Med HDHP – you automatically receive coverage in the following benefit programs and services:

- Behavioral Health (administered by Optum Behavioral Health).
- Prescription Drug (administered by OptumRx).
- Wellness – known as Take Charge | Live Well (administered by Personify Health).
- Telehealth services (administered by LiveHealth Online).

BEHAVIORAL HEALTH

Specialized mental health and substance use services are included with your selected medical plan and provided under a single program administered by Optum Behavioral Health.

Confidential phone assessments and referral services are available to enrolled employees and dependents 24/7 for a variety of behavioral health issues.

To compare the deductible and out-of-pocket costs in the Ohio Med Select, Ohio Med PPO, and Ohio Med HDHP options, go to DAS.Ohio.gov/BehavioralHealth.



Get Support for Behavioral Health Concerns

The Ohio Employee Assistance Program (Ohio EAP) is managed by ComPsych and is available 24/7 to all state employees and their family members. The Ohio EAP helps employees, managers, and agencies meet the many life challenges while remaining healthy, engaged, and productive. The Ohio EAP can assist employees in coping with personal problems such as family, and parenting issues, alcohol, substance use, and emotional concerns (such as anxiety, anger, grief, or depression), as well as provide referral information when an employee may be experiencing legal difficulties. Personal problems can affect your health and well-being as well as your job performance.

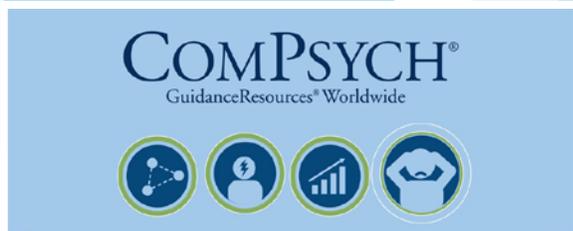
Visit the ComPsych website at GuidanceResources.com and enter the Web ID: OhioEAP, or download ComPsych's app: GuidanceNow.

EAP Program Offers More Services 24/7

As a result of requests for more privacy, clinician availability, and a more robust EAP program, the State of Ohio has worked with ComPsych to deliver the following services, which are available 24/7 to all state employees and their family members.

- **24/7 access to behavioral health clinicians:** You have 24/7 access to speak immediately with a behavioral health clinician regarding mental health and substance use concerns. Services are available via a variety of modalities (i.e., telephone, web, mobile, chat) for counseling and crisis intervention by licensed, master's-level clinicians. Calls are routed to the appropriate call center to ensure prompt service at all hours.
- **Six sessions per incident per year:** You can receive up to six sessions per incident per year at no cost. For example, if you are meeting with a behavioral health clinician about one incident (such as stress management) when there is a need to connect with a clinician about another concern (such as grief), you can get six additional sessions with a counselor at no cost for any other incidents throughout the year.
- **Well-being coaching program:** You can meet with a ComPsych well-being coach to help work through your concerns, including mental health and wellness issues, from a holistic approach. Coaching sessions are unlimited; although coaching is often completed in about 5-7 sessions. The ComPsych well-being coach is different from working with a well-being coach from Personify Health, the state's wellness administrator.

For more information, visit DAS.Ohio.gov/EAP.



YOUR MENTAL HEALTH AND WELL-BEING DESERVE AN ANNUAL CHECK-UP, TOO

Your health and well-being journey is important, and now you can get personalized care through a new digital experience.

You can now get an enhanced experience to get the tailored support you need for your personal well-being journey that will allow you to:

- **Get connected:** Connect immediately with an expert or schedule appointments for services.
- **Get guidance:** Assesses your area of need and directs you to the care options, tools, and resources most appropriate to your focus area.
- **Get assessed:** Evaluate your needs across six primary care pillars and get personalized results and well-being plans to your specific needs.

ComPsych, the Ohio Employee Assistance Program's third-party administrator, has a digital experience available on their GuidanceResources.com portal at GuidanceResources.com or on their [GuidanceNow](https://GuidanceNow.com) app.

PRESCRIPTION DRUGS

Included with your selected medical plan, OptumRx provides prescription drug benefits for enrolled State of Ohio employees and their dependents.

Diabetes Management Program

Members may be eligible for free diabetic supplies and medication if they have had a hemoglobin A1C test within the past 12 months of being a member of the Ohio Med PPO or Ohio Med Select plan options. Specific test values and results are not required, only that the member has had the test. Members enrolled in the Ohio Med HDHP are not eligible for free diabetic supplies. Certain diabetic supplies and equipment are covered by your medical third-party administrator. Beginning July 1, 2025, your plan will offer an additional no-cost program to help higher-risk members manage their diabetes. If you are eligible, you will receive a letter with details.

Specialty Drug Management Program

Some specialized medications for serious medical conditions such as cancer, cystic fibrosis, and rheumatoid arthritis must be obtained from Optum Specialty (the specialty pharmacy) and can only be filled for 30 days or less. Your order may be shipped to your home or workplace, if permitted. A program description and a list of medications are at [DAS.Ohio.gov/PrescriptionDrug](https://das.ohio.gov/PrescriptionDrug), under “Specialty Drug Updates.”

Drug Coverage Limitations

Effective July 1, 2025, new prescriptions for GLP-1 medications for weight loss, including Wegovy, Zepbound, and Saxenda, etc., will no longer be covered. Active prior authorizations will be honored through the approval period.

Some drugs are not covered at all, and some require the use of alternative medications before being approved. This is known as “step therapy.” Examples include, but are not limited to, medications used for heartburn, glaucoma, multiple sclerosis, diabetes, asthma, elevated triglycerides, migraines, osteoporosis, nasal allergies, sleep disturbances, and high blood pressure. Additional medications requiring step therapy may be added at any time. If this occurs, members currently using the affected drugs will be notified in advance by mail.

A program description and a list of medications are at [DAS.Ohio.gov/PrescriptionDrug](https://das.ohio.gov/PrescriptionDrug), under “Prescription Drug Updates.”

OptumRx Offers Price and Save, Tracking Tools

Important information is available at OptumRx.com. You will need your pharmacy member ID number located on your OptumRx card to log in. Your ID begins with the letter “A.” For questions, contact OptumRx at 866-854-8850. Easy access to the OptumRx website allows you to:

- Compare mail-order prices and prices at local pharmacies.
- Find your lowest copay.
- Locate a pharmacy and get driving directions.
- Manage your mail-order prescriptions, including options to request a refill or track an order.

Prescription Costs

Type of Medication	Ohio Med PPO and Ohio Med Select Copayment Costs				Ohio Med HDHP Coinsurance Costs
	30-Day Supply at Retail Copayment	30-Day Supply Specialty Copayment	90-Day Supply at Retail Copayment	90-Day Supply at Mail-order Copayment	All Types of Medication
Generic	\$10	\$10	\$30	\$25	You pay 100% until the deductible is met, then 20% until the out-of-pocket limit is met.
Preferred Brand-Name	\$40	\$40	\$120	\$100	
Non-Preferred Brand-Name, Generic Unavailable	\$75	\$75	\$225	\$187.50	
Non-Preferred Brand-Name, Generic Available	\$75 plus the difference between the cost of the brand-name and generic drug	\$75 plus the difference between the cost of the brand-name and generic drug	\$225 plus the difference between the cost of the brand-name and generic drug	\$187.50 plus the difference between the cost of the brand-name and generic drug	Deductible amounts: \$2,000 single/ \$4,000 family Shared with medical claims for overall out-of-pocket maximum
Out-of-Pocket Maximum*	\$3,500 single/\$7,000 family Separate from the medical claims out-of-pocket maximum.				\$3,500 single/\$7,000 family

The amount charged to the individual for generic, preferred brand, and non-preferred brand medications will not be greater than the actual cost of the medication. Therefore, the amount charged may be less than the flat-dollar copay.

The maximum copay for oral oncology medications will be \$100 for a 30-day supply. For more details, visit [DAS.Ohio.gov/PrescriptionDrug](https://das.ohio.gov/PrescriptionDrug).

* Pharmacy copays do not apply toward the medical/behavioral health plan deductibles and the annual out-of-pocket maximum for the Ohio Med PPO and the Ohio Med Select plan options.

A HEALTHY LIFE STARTS HERE

Get the support you need. Today is the day!

Take Charge | Live Well, the state’s wellness program, and Personify Health, the wellness administrator, are committed to helping you improve your health and wellness.

Knowing your numbers, developing a plan, and committing to a healthy lifestyle are important to maintaining good health or improving your health. Take Charge | Live Well has the resources, tips, and support you need to help you achieve your goals.

Invite your spouse to join you in the wellness journey! Take Charge | Live Well is available to employees and spouses enrolled in the state’s medical program.

For incentive and program details, visit [DAS.Ohio.gov/Wellness](https://das.ohio.gov/Wellness).

Through Personify Health, the wellness program’s administrator, you get:

- Health coaching
- Wellbeats — Online fitness (all levels), stress relief exercises, and nutrition classes
- Nutrition Guide
- Sleep Guide
- Journeys — Self-guided, online mindfulness, stress relief, financial well-being courses and more to help you build healthy habits
- RethinkCare — A mindfulness program



Biometric Screening Incentives

Required Steps	Actions	Deadline	Recipient Incentive	Spouse Incentive
Step 1	Health Risk Check Survey <ul style="list-style-type: none"> • Online questionnaire completed through the Personify Health Hub. 	Complete all three steps by December 31, 2025	\$1,000 Paid in April 2026*	\$350 Paid in April 2026*
Step 2	Biometric Screening Biometric screening options: <ul style="list-style-type: none"> • State worksites. • Physician form. 			
Step 3	Next-Steps Consult Call or Preventive Care Screening Next-Steps Consult Call Option Next-Steps Consult call through Personify Health. To make this call, visit DAS.Ohio.gov/Wellness , click The Hub and log in > Programs > View All > Next-Steps Consult. Preventive Care Screening Option Could include a wellness visit/annual physical or other preventative screening(s), such as a mammogram, colonoscopy, and/or other screenings, as recommended. IMPORTANT: Complete your Next-Steps Consult call or preventative care screening between July 1 through December 31, 2025, and Personify Health will automatically process your incentive. It could take up to 90 days for Personify Health to receive your claim data.		*Payment date is approximate based on when claims data is received by Personify Health	

Take Care of Your Overall Health

DENTAL AND VISION

For Exempt Employees

Beyond the health care benefits offered through the state's medical plan, consider taking care of your overall health with dental and vision coverage.

Dental

The Delta Dental PPO POS plan, offered at no cost to employees through Delta Dental of Ohio, provides exempt employees with access to two networks of dentists: the Delta Dental PPO network and the Delta Dental Premier network. Delta Dental pays the least for out-of-network dentists.

Why dental insurance? Maintaining overall good health and well-being includes getting essential preventive care, which lowers your costs for other dental and oral health procedures. Having quality dental coverage leads to regular dental care, which is important to your general health. Smile confidently with good oral care.

Although you can go to any licensed dentist of your choice and receive benefits, you will generally pay less when you go to a dentist within the Delta Dental PPO or Delta Dental Premier network.

Dental coverage includes diagnostic and preventive services (such as cleanings and X-rays), basic restorative services (such as fillings), major restorative services (such as crowns and bridges), and orthodontia.

To learn more, visit the dental webpage: DAS.Ohio.gov/Dental.

Vision

Vision benefits provide much more than eye exams. Vision wellness, offered at no cost to employees, includes correction needs, especially as you age, and can help to monitor your vision to be prepared when changes to your vision may occur. Taking care of your vision is also a part of your overall health. At times during an exam, a doctor can detect other health issues such as diabetes, high blood pressure, some cancers, and more. With your vision benefit, the plan includes coverage for prescription eyeglasses and contacts, LASIK eye surgery, and low vision aids.

Vision coverage is offered to exempt employees through VSP Vision Care. The VSP Advantage network encompasses many providers. Employees and their family members who choose to receive services outside of the vision plan network may be subject to a reduction in benefits. Whether you need a vision exam, glasses or contacts, or other vision services, VSP's comprehensive vision plan has you covered.

In addition, the benefit plan also offers a discount for hearing care.

To learn more, visit the vision webpage: DAS.Ohio.gov/Vision.

New Vision Program Administrator: VSP

VSP Vision Care assumes management of the state's vision program for exempt employees effective July 1, 2025.

VSP has a large network, is one of the most widely accepted vision insurance providers, and offers coverage with a large number of independent eye care professionals.

VSP has been an administrator of the state's program for exempt employees in the past and currently provides coverage for union-represented employees.

The state's robust vision plan remains the same with quality coverage for lenses, eye-wear, eye exams, and more.

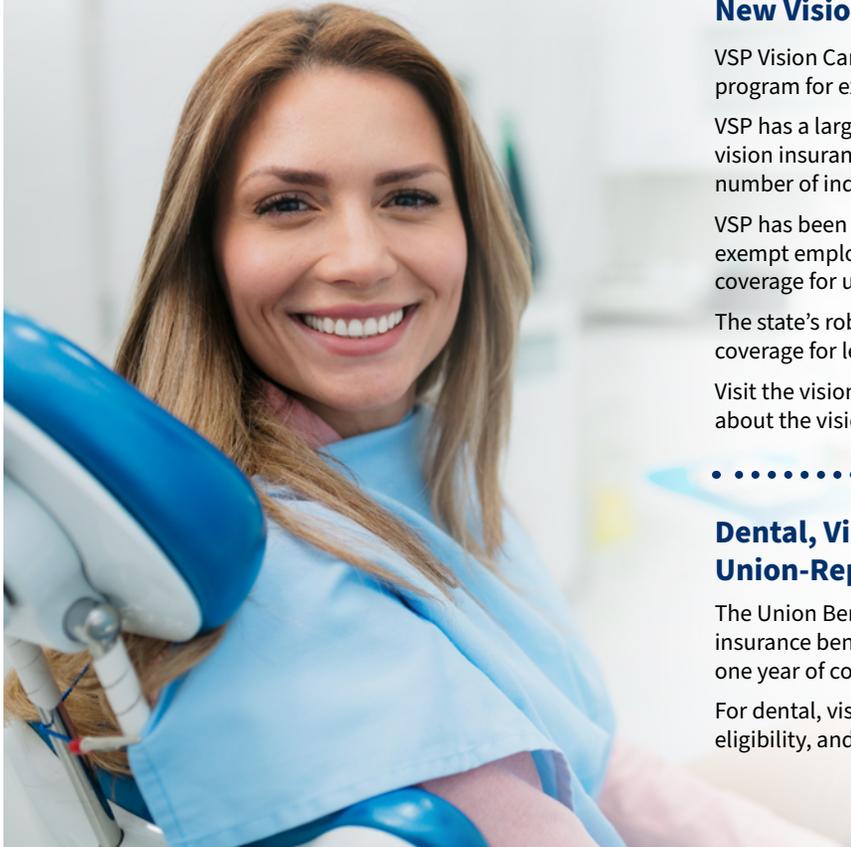
Visit the vision webpage, DAS.Ohio.gov/Vision, for full details about the vision program.



Dental, Vision, and Life Insurance for Union-Represented Employees

The Union Benefits Trust (UBT) offers dental, vision, and life insurance benefits for union-represented employees after one year of continuous state service is completed.

For dental, vision, and life insurance program details, eligibility, and enrollment information, visit BenefitsTrust.org.



SUPPLEMENTAL LIFE INSURANCE

For Exempt Employees

Exempt employees are eligible to enroll in a supplemental life insurance program at their own cost for employee, spouse, and/or eligible child/children coverage. This benefit is administered by Securian Financial.

During Open Enrollment, you can enroll in coverage for:

- **Employee** – The minimum electable benefit is \$10,000. The maximum benefit available is up to eight times your annualized rate of pay, or \$600,000, whichever is less. You must provide Evidence of Insurability (EOI) if you request an amount of insurance over the non-medical limit – the lesser of two times your annualized earnings or \$150,000.
- **Spouse** – Elect \$10,000 or increase existing coverage by \$10,000 without having to provide EOI. The plan maximum is \$40,000.

- **Child (eligible to age 26)** – Elect the \$7,000 benefit **(elections are always guaranteed)**.
- Coverage below the non-medical limit amount will be effective July 1, 2025.
- Coverage above the non-medical amount, which is subject EOI, will be effective July 1, 2025, or the date EOI is approved by Securian Financial, whichever is later.
- Make changes to your supplemental life insurance coverage, including updating beneficiaries or your coverage level.
- Visit the Life Insurance webpage at: DAS.Ohio.gov/LifeInsurance.



BENEFITS ENROLLMENT INSTRUCTIONS

Medical, Dental, and Vision Enrollment

You can enroll in coverage for medical, dental, and/or vision, if eligible, online at myOhio.gov.

If you are a new employee who has not already received your OHID Workforce User ID in a letter or email, contact your agency human resources representative.

If you do not have your password for myOhio.gov or need your password reset, contact the OAKS Help Desk by calling toll-free, 800-409-1205, option 1, or email OAKS. HelpDesk@DAS.Ohio.gov.

Online Enrollment

Login instructions for myOhio.gov:

- Go to myOhio.gov.
- Enter your OHID Workforce User ID and password.
- Click the **My Workspace** tab in the top menu.
- Click the **myBenefits** link under Self Service Quick Access heading.
- Click the **Enrollment Opportunity** button and make the necessary changes or updates.

Benefits System Availability via myOhio.gov

[MyOhio.gov](https://myOhio.gov) is available 24/7 for benefits-related transactions.

Make and submit your selections through myOhio.gov by the end of the Open Enrollment period, within 31 days of your hire date or within 31 days of a change in status/qualifying event. Make sure your online elections are correctly submitted. At the end of the process, you will have access to a confirmation letter that is stored in the system for future review.



Supplemental Life Enrollment for Exempt Employees

To enroll in supplemental life insurance for exempt employees, visit the Securian Financial website at LifeBenefits.com. The initial user ID is "OH" plus your OHID Workforce User ID. The initial password is your date of birth (MMDDYYYY) plus the last four digits of your Social Security number. You also may obtain a supplemental life enrollment form in the Supplemental Life Insurance section at DAS.Ohio.gov/LifeInsurance.

Supplemental Life Enrollment for Union-Represented Employees

To enroll in supplemental life insurance for union-represented employees, review the instructions at BenefitsTrust.org.



BENEFITS CONTACTS

All Employees

Medical

[Anthem](#)

844-891-8359 / Nurse Line: 800-337-4770

[EnrollmentAnthem.com/StateofOhio](#)

Group Number: W59989

[Medical Mutual of Ohio](#)

800-822-1152 / Nurse Line: 888-912-0636

[StateofOhio.MedMutual.com](#)

Group Number: 228000

Health Savings Account

[Baker Tilly Vantagen](#)

833-559-0002

Available 8 a.m. to 8 p.m.

Monday through Friday

[myFlexDollars.com](#)

[Support@myFlexDollars.com](#)

Prescription Drug

[OptumRx](#)

866-854-8850

[OptumRx.com](#)

Rx Group Number: STOH

Behavioral Health

[Optum Behavioral Health](#)

800-852-1091

[LiveAndWorkWell.com](#)

Group Number: 1507

Website Access Code: 00832

Telehealth

[LiveHealth Online](#)

888-548-3432

[LiveHealthOnline.com](#)

Ohio Employee Assistance Program

[ComPsych](#)

800-221-6327

[GuidanceResources.com](#)

Web ID: OhioEAP

Take Charge | Live Well

[Personify Health](#)

833-977-2074

[Join.PersonifyHealth.com/StateofOhio](#)

Flexible Spending Accounts and Commuter Benefits

[Baker Tilly Vantagen](#)

833-559-0002

Available 8 a.m. to 8 p.m.

Monday through Friday

[myFlexDollars.com](#)

[Support@myFlexDollars.com](#)

Exempt Employees Only

Dental

[Delta Dental of Ohio](#)

800-524-0149

[DeltaDentalOH.com](#)

Delta Dental PPO POS

Group Number: 9273-0001

Vision

[VSP Vision Care](#)

800-877-7195

[VSP.com](#)

Group Number: 40163620

Basic and Supplemental Life Insurance

[Securian Financial, a policy underwritten by Minnesota Life](#)

1-866-416-8832

[LifeBenefits.com](#)

Group Number: 34301

Initial logon credentials for life

insurance: The initial user ID is "OH"

plus your OHID Workforce User ID. The

initial password is your date of birth

(MMDDYYYY) plus the last four digits of

your Social Security number.

Union-Represented Employees Only

Union Benefits Trust

614-508-2255

800-228-5088

[CustomerService@BenefitsTrust.org](#)

[BenefitsTrust.org](#)

The websites of the Union Benefits Trust (UBT) vendors listed below can be accessed through the UBT website.

Dental

[Delta Dental of Ohio](#)

877-334-5008

Group Number: 1009

Vision

[EyeMed Vision Care](#)

866-723-0514

Group Number: 9674813

[VSP Vision Care](#)

800-877-7195

Group Number: 12022914

Basic and Supplemental Life Insurance

[Prudential Life Insurance](#)

844-533-4UBT (4828)

Group Number: LG-01049

Legal Services

[MetLife Legal Services](#)

800-821-6400

Group Number: 4900010



All Employees

Ohio Department of Administrative Services

myBenefits Support Center Team

614-466-8857, option 2

800-409-1205, option 2

[DAS.Ohio.gov/Benefits](#)

[myBenefits@DAS.Ohio.gov](#)

TIP:

When placing a call, please ensure you have the documentation you might need during the call:

- Group Number.
- OHID Workforce User ID.
- Explanation of Benefits if call is regarding a claim.

Scan the QR codes and download the apps for easy access to health benefit information, insurance cards, provider networks, virtual assistants, and more.

All Employees

Medical

Anthem

844-891-8359
EnrollmentAnthem.com/StateofOhio
 Group Number: W59989



Medical Mutual of Ohio

800-822-1152
StateofOhio.MedMutual.com
 Group Number: 228000



Prescription Drug

OptumRx

866-854-8850
OptumRx.com
 Rx Group Number: STOH



Flexible Spending Accounts Health Savings Account and Commuter Benefits

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Support@myFlexDollars.com



Behavioral Health

Optum Behavioral Health

800-852-1091
LiveAndWorkWell.com
 Group Number: 1507
Website Access Only. Code: 00832



Take Charge | Live Well

Personify Health

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Join.PersonifyHealth.com/StateofOhio



Telehealth

LiveHealth Online

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LiveHealthOnline.com



Ohio Employee Assistance Program

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GuidanceResources.com
 Web ID: OhioEAP



Exempt Employees Only

Dental

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DeltaDentalOH.com
 Delta Dental PPO POS
 Group Number: 9273-0001



Vision

VSP Vision Care
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VSP.com
 Group Number: 40163620



Basic and Supplemental Life Insurance

Securian Financial, a policy underwritten by Minnesota Life
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LifeBenefits.com



Group Number: 34301

Initial logon credentials for life insurance: The initial user ID is "OH" plus your OHID Workforce User ID. The initial password is your date of birth (MMDDYYYY) plus the last four digits of your Social Security number.

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CustomerService@BenefitsTrust.org
BenefitsTrust.org

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Dental

Delta Dental of Ohio
 877-334-5008
 Group Number: 1009



Vision

EyeMed Vision Care
 866-723-0514
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VSP Vision Care

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Basic and Supplemental Life Insurance

Prudential Life Insurance
 844-533-4UBT (4828)
 Group Number: LG-01049

Legal Services

MetLife Legal Services
 800-821-6400
 Group Number: 4900010

Ohio Department of Administrative Services
State Human Resources Division
30 E. Broad St., 40th Floor
Columbus, OH 43215

SUMMARY OF LEGAL NOTICES

Your legal rights to protect your privacy and health coverage are important to us. Please take a moment to review the following information and visit [DAS.Ohio.gov/Benefits](https://das.ohio.gov/Benefits) > **About my Benefits** > **Legal Notices**.

- **HIPAA Privacy Notice** | You have the right of privacy and access to your personal health information (PHI) under the Health Insurance Portability and Accountability Act (HIPAA), including the right to request restrictions, amendments, and confidential communication. The State, including its Health Plans and Business Associates, may only use and disclose your PHI as authorized by law or legal purposes, for your health services or treatment, for payment or Plan operation, or for public health administration. The State is required to provide a notice to you if a breach of your PHI has occurred.
- **HIPAA Special Enrollment Notice** | HIPAA requires a special enrollment period for the following situations: 1) when a covered individual loses eligibility or if the employer stops contributing toward the other coverage from another plan; or, 2) when there is a new dependent because of marriage, birth, adoption, or placement for adoption. Enrollment must be requested within 31 days after the coverage ends or the qualifying event occurred.
- **COBRA Notice** | Under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), if you experience a qualifying event that results in the termination of your health coverage, the State is required to provide you an opportunity to temporarily extend coverage for a certain period, at your expense.
- **Notice on Creditable Coverage (Medicare Part D: Prescription Drug Coverage)** | The State has determined that its prescription drug coverage is, on average, expected to pay out as much as standard Medicare prescription drug coverage and is considered Creditable Coverage. Because of this, you can keep this coverage and not pay a higher premium (a penalty) if you later decide to join a Medicare drug plan. If you do decide to join, you may be required to provide a copy of the full notice to prove you maintained creditable coverage.
- **Health Insurance Marketplace Coverage Options** | The Patient Protection and Affordable Care Act (PPACA) requires the State to issue a notice to all employees informing them that they can purchase medical coverage from the Health Insurance Marketplace. This coverage option is in addition to the State medical coverage.
- **Wellness Program Notice** | Take Charge | Live Well is a voluntary wellness program available to those enrolled in the State Plan. You have rights under Americans with Disabilities Act of 1990 (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA), and HIPAA, including requesting a reasonable alternative for incentives paid for health-related activities.
- **Notice of Non-Discrimination** | The State of Ohio is an equal opportunity employer, disability inclusive state, and model employer of individuals with disabilities. The State does not discriminate based on protected statuses established by Federal Law, Ohio Law, and Executive Order of the Governor in employment-related decisions. If you believed you have experienced discrimination, you have a right to file a complaint.
- **Women's Health and Cancer Rights Act of 1998 Notice** | The Women's Health and Cancer Rights Act of 1998 (WHCRA) is a federal law that requires coverage to patients who choose to have breast reconstruction in connection with a mastectomy.
- **Patient Protection Disclosures** | The Affordable Care Act (ACA) requires the State to provide the following disclosures:
 - **Designation of Primary Care Provider:** You have the right to designate any primary care provider, including a pediatrician, who participates in our network and who is available to accept you or your family members.
 - **OBGYN Care Without Prior Authorization:** You have the right to obtain obstetrical or gynecological care without prior authorization.
- **Newborns' and Mothers' Health Protection Act Notice** | Under the Newborns' Act, the State cannot restrict benefits or require prior authorization for mothers or newborns for a hospital stay in connection with childbirth of less than 48 hours after vaginal delivery or 96 hours after cesarean section. The attending provider, after consultation with the mother, may discharge earlier but cannot receive incentive or disincentive for this decision.
- **Michelle's Law Notice** | The State permits dental/vision coverage for dependent children who are under age 23, unmarried, and a full-time student enrolled at an accredited institution of learning on a full-time basis. Michelle's Law requires an extension of eligibility where a dependent loses their full-time student status due to a medical leave of absence.
- **MHPAEA Notice** | The Mental Health Parity and Addiction Equity Act (MHPAEA) of 2008 requires health insurers and group health plans that offer mental health and substance use disorder benefits to provide the same level of benefits for mental and/or substance use treatment and services that they do for medical/surgical care.



Take Charge | Live Well Program

2025-26 Program FAQ

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Eligibility

What is the Take Charge | Live Well program?

The Take Charge | Live Well program is a comprehensive well-being program offered to State of Ohio employees and their spouses who are enrolled in the state's medical plan. You can earn rewards for completing wellness activities, access live monthly wellness webinars, work one-on-one with health coaches and more.

Who is eligible to participate in the Take Charge | Live Well program?

Employees and spouses covered under the State of Ohio medical benefits can participate in the program and earn rewards.

Enrollment

How do you or your eligible spouse enroll in the program?

To enroll in the program, visit [Join.PersonifyHealth.com/StateOfOhio](https://join.personifyhealth.com/StateOfOhio). Eligible spouses must create their own account to earn rewards.

Can you change your email address once you enroll?

Yes. Once you're logged in, you can change your email address in the account settings. Please contact Personify Health Customer Service at 1-833-977-2074 or TCLW.Support@PersonifyHealth.com if you need assistance.

My insurance starts after the start of the program year (e.g. Aug. 1). Can I begin working on the rewards prior to that date?

Due to file transfer times, you can begin participating within a few weeks after your benefits are activated.

Rewards

What is the 2025-26 program reward structure?

Employees can earn up to \$1,000 and spouses can earn up to \$350 for completing the following actions by December 31, 2025:

Step 1: Complete the Health Check survey

Step 2: Complete a biometric screening

Step 3: Complete a Next-Steps Consultation or a preventive care screening.



I completed the Health Check survey and the biometric screening, but I did not complete the final step (Next-Steps Consultation/preventive screening. Can I still earn the reward?

No. You must complete all three steps before the December 31, 2025, deadline to receive rewards. There will be no exceptions.

I am a new hire who started after Dec. 31, 2025. Do I have an opportunity to earn incentives this program year?

No. All employees hired after Dec. 31 will not be eligible to earn rewards until the following program year beginning July 1, 2026.

When will the payouts for earned rewards be expected?

Rewards will be paid out in April 2026.

If I complete an activity, how long will it take for the points to show in the My Rewards section on the Personify Health platform?

Activity	Approximate time to load into Personify Health platform
Health Check Survey	Within 24 hours
Quest Biometric Screening Physician Form	Within 7-10 business days of successful submission
Quest Onsite Biometric Screening	Within 2-3 weeks of screening event
Next-Steps Consult Call	Within 48 hours of call
Preventative Care Screening	Within 60-90 days of your appointment <i>*Note: this will not be rewarded until your Health Check Survey and Biometric Screening have been completed.</i>

How do you access your rewards on the Personify Health platform?

After creating your account, login, click **Home** then **My Rewards**.

Will the check with the reward(s) display a reduced amount due to taxes, instead of the full reward amount?

Rewards will be added to your paycheck as an earning, similar to having additional hours or paid time off. The full reward amount will show on your check. Rewards will be displayed on the employee's paycheck in the *Hours and Earnings* section. On the paycheck, the rewards will read: **TCLW Rewards 2026**.



Is there a way to track if the reward is for myself vs. my spouse's?

No. Earnings on the paycheck do not clarify employee or spouse. Rewards will be added to the primary insurance holder's paycheck.

Will retirees and terminated employees still be eligible to receive rewards if they complete all steps before their departure but leave before the April payout?

Yes, but they will receive their reward payout via physical check. Due to this, they can expect to receive their payout within two months of the April payout date.

Health Check Survey

What is the Health Check Survey?

The Health Check Survey is a quick 5–10-minute health survey that will ask questions about your health and daily lifestyle habits. Once you complete the survey, you will receive a detailed report to learn which areas you are doing well in and how you can still improve.

How do I complete the Health Check Survey?

To access the Health Check Survey, login to your Personify Health account, visit the Programs page and select Health Check Survey.

When does the Health Check Survey need to be completed?

The survey must be completed between July 1, 2025, and December 31, 2025.

Biometric Screenings

What are my options to complete the biometric screening?

Employees and spouses can complete their biometric screening by:

1. Attending a Quest onsite biometric screening at a State of Ohio agency location. To search nearby onsite screenings, login to your Personify Health account beginning July 1, 2025, visit the Programs page and select the Quest: Onsite Biometric Screenings. You will be able to search via zip code to find screenings near you.
2. Visiting a primary care physician. If you wish to complete the screening with this method, you must download the Quest Physician Form on your platform, have your physician complete the form at your appointment, and upload it to your account. To learn more about this and/or download the form, please visit your Personify Health account beginning July 1, 2025, visit the Programs page, and select the Quest: Physician Form option.



Can I still attend a Quest Patient Service Center to complete the biometric screening?

No. You must either complete your screening via onsite screening or Quest Physician Form.

If I took the Health Check survey before my screening, can I go back to update it with my new biometric results?

While your Health Check survey answers won't be automatically updated after your screening, you can manually update them. You can take the Health Check survey as many times as you would like to update it.

How old can biometric information be to complete the Physician Form?

Physician Form results must be taken between July 1– December 31, 2025. Any results taken prior to July 1, 2025, will not be accepted for the current fiscal program year credit.

A biometric screening event is scheduled at my workplace, which I made an appointment for. Do I need to make a doctor's appointment or submit any forms once I have completed the screening?

No. Once you participate in an onsite screening event, your results and incentives will load automatically into your Personify Health account. Please follow up with your personal health care provider as needed to address health care concerns.

Can the Wellness Coordinators send me the Physician Form to take to my doctor?

No. You must download your Physician Form by visiting the **Programs** page on your platform and selecting **Biometric Screenings: Physician Form**. If you experience trouble accessing the form, please reach out to TCLW.Support@PersonifyHealth.com.

I am a new hire that joined later in the program year, and I had visited my doctor before my hire date. Am I able to use those results to earn my reward for the biometric screening?

Yes, you can use these results if the appointment was within the program year (no earlier than July 1, 2025). We suggest reaching out to your Physician and sending the Physician Form for them to fill out with your appointment results. After you receive the form back, you must upload it to your platform.

Next-Steps Consultations

What is the Next-Steps Consult call?

The **Next-Steps Consult** is a one-time 15-minute call with a health guide to review your Health Check Survey results and your biometric screening metrics. It is one of the options to fulfill step 3 to earn your incentive. **IMPORTANT:** Next-Steps Consults are different from health coaching sessions.



How can I schedule a Next-Steps Consultation?

To schedule, login to your Personify Health account, visit the Programs page and select Next-Steps Consultation. You will select your desired appointment date/time and enter your phone number. The consult will call you via phone call on the day of your appointment.

How soon can I schedule my Next-Steps Consult call?

A Next-Steps Consult call can be scheduled as soon as the program year begins. A Next-Steps Consult call can be scheduled by phone or online and should be completed within two-weeks after the biometric screening is submitted.

When is the deadline to complete the Next-Steps Consult for the incentive?

If you chose to complete the Next-Steps Consult option, you must complete the consultation by December 31, 2025.

I already completed a qualifying preventive care screening to fulfill step 3 of the incentive. Can I still complete a Next-Steps Consultation?

Yes! We recommend all members who complete the biometric screening and Health Check Survey to complete the Next-Steps Consultation to learn more about their health and well-being.

Preventive Care Screenings

What screenings qualify toward the preventive care incentive?

- Preventive Care Screening with a Primary Care Physician (Annual Physical)
- Breast Cancer Screening Procedure (Mammogram)
- Cervical Cancer Screening Procedure (Pap Test)
- Colorectal Cancer Screening Procedure
- Prostate Exam (PSA Test)
- **NEW:** Skin Cancer Screening

When should I expect my preventive care screening to be reflected on my rewards page?

Members should expect their preventive screening to show as completed in their **Rewards** page within 90 days of completing their appointment. These are processed automatically through insurance claims, so members don't need to submit anything manually.

It has been longer than 90 days and my preventive care screening is still not showing as complete in my account. What should I do?

Please reach out to Member Support (TCLW.Support@PersonifyHealth.com) with proof of your qualifying preventive screening, such as an Explanation of Benefits document.



Health Coaching

What is health coaching?

Health coaching sets you up with a skilled professional who will help you set and achieve your goals during regularly scheduled monthly 30-minute calls. A health coach is qualified to dive deeper into specific wellness topics and goals to provide additional support. Health coaching is no longer incentivized but is an excellent resource/program offering.

How often are coaching calls held and how can I schedule my first session?

Coaching calls are typically scheduled every 4-6 weeks. If you miss a call, or need to reschedule, simply refer to your appointment on the Personify Health App to choose a new date and time. Coaching appointments can be scheduled by visiting the **Programs** page and selecting **Coaching**.

How will my health coach appear on my Caller ID?

For most appointments, the number will show as 612-659-3055. For initial appointments, it may show up as an 800 number.

Transform

What is the Transform program?

Transform is a CDC-recognized diabetes prevention program offered entirely online, at no cost to you. When you join the program, you'll receive a 12-month healthy lifestyle education as well as a digital scale and an activity tracker* to help you monitor your progress. Oh, you also get your own dedicated health coach for the whole year (yes, it's free).

How can I get started?

Follow these easy steps:

Step 1 - Once logged in, choose the **Health** tab.

Step 2 - Select **Transform** from the list of programs, and then click **Get Started**.

Step 3 - Take the one-minute quiz to see if you're eligible for Transform.



General Questions

Will any of our information be available to life insurance companies?

No.

Where can I find the mobile apps and what are they called?

The Personify Health mobile app can be found on iOS and Google Play. Search for “Personify Health” on both.

Are flu shots available for employees and spouses?

Yes.

What non-incentivized program resources are available to me?

The Take Charge | Live Well program has fantastic well-being resources available to you, such as health coaching, healthy habit tracking, Wellbeats Wellness and more. To learn more, visit the Programs page on your Personify Health account.

Who are the third-party administrators for the upcoming benefit year?

- **Anthem and Medical Mutual of Ohio** (medical coverage)
- **Baker Tilly Vantage** (flexible spending accounts and health saving accounts)
- **Optum Rx** (prescription drug)
- **Optum Behavioral Solutions** (behavioral health)
- **Live HealthOnline** (telehealth)

Please visit DAS.Ohio.gov/Medical for more information.

Who do I contact if I have further questions on the Take Charge | Live Well program?

Visit DAS.Ohio.gov/Wellness or contact Personify Health Customer Service at: 1-833-977-2074.

Confidentiality

The State of Ohio’s Take Charge | Live Well program contracts with Personify Health to manage wellness resources, activities, and Take Charge | Live Well program rewards for employees and spouses enrolled in the State of Ohio medical plan. Personal health information provided is not shared with the state. For more program information, visit: DAS.Ohio.gov/Wellness.



Ohio's **529**
COLLEGE ADVANTAGE

SAVING FOR COLLEGE MADE SIMPLE
COLLEGEADVANTAGE.COM

COLLEGEADVANTAGE IS OHIO'S 529 PLAN!

Maybe you're the parent of a newborn or a kindergartener and college seems so far away. Or maybe you have middle schoolers and you're saving for college in a taxable account, missing out on the benefits of a 529 plan. Maybe your future college student is already in high school and you think it's too late to save. Or perhaps you're a grandparent who just wants to help. Whatever your situation, the thought of college can be overwhelming. But, relax. College is doable, especially with Ohio's 529 Plan, CollegeAdvantage.

Easy to start with as little as \$25

The most common advice from college savers is to "just start." By starting early, you'll have more time to save. However, it's never too late to begin. You can even consolidate other existing savings and get the tax advantages of CollegeAdvantage 529. It only takes \$25* to open an account.

** \$500 if you choose the 529 Bank CD option.*

Save in Ohio and go anywhere

The biggest myth is that Ohio's 529 Plan locks you into Ohio colleges. Not true. Use your 529 funds at any accredited post-secondary schools in Ohio and nationwide. This includes thousands of universities, colleges, technical schools and apprenticeships approved by U.S. Labor Department. If a college has a Federal School Code at FAFSA.gov, you can use your Ohio's 529 Plan funds to pay for qualified expenses there.

For grandparents who want to help

Grandparents, family, and friends can help, too. They can open and manage their own account for a child or they can easily make gift contributions to your existing account. Non-account owners who make gift contributions directly to a CollegeAdvantage account and are Ohio taxpayers may also take the Ohio state income tax deduction.

CHOOSE FROM TWO DIFFERENT PLANS

For over 25 years, CollegeAdvantage has been helping families make college doable. Ohio's 529 Program offers two different types of 529 college savings plans: the CollegeAdvantage Direct 529 Plan and the BlackRock CollegeAdvantage Advisor 529 Plan.

CollegeAdvantage Direct Plan

The CollegeAdvantage Direct Plan is simple for anyone to use. Choose from a variety of ready-made investment plans, FDIC-insured bank savings accounts and CD options tailored to your savings timeline, risk tolerance, and investment strategy. Open and manage your account at CollegeAdvantage.com.

BlackRock CollegeAdvantage Advisor 529 Plan

The BlackRock CollegeAdvantage Advisor 529 Plan must be opened through a professional financial advisor. If you already work with an advisor, ask them about this plan or visit BlackRock.com/CollegeAdvantage. These plans offer different investment options, investment managers, fees and sales structures, and are marketed differently. Even if you work with a financial advisor, you may still consider and choose the Direct Plan.

THREE TAX ADVANTAGES

01

The compounding power of tax-free growth helps you save even more. All investment growth is yours to cover higher education costs.

Tax-free withdrawals when you use the funds for qualified higher education expenses like tuition; room and board; computers, related equipment, and services; and required fees.**

*** Please read the Offering Statement for additional details about qualified higher education expenses.*

02

If you are an Ohio taxpayer, contributions to CollegeAdvantage may be deducted from your Ohio taxable income in any amount up to \$4,000 per year, per beneficiary, with unlimited carry forward of larger contributions.

03

PICK AN APPROACH THAT'S RIGHT FOR YOU

With Ohio's 529 Plan, CollegeAdvantage, you get to create your plan, your way. Choose the Direct Plan or the BlackRock Advisor Plan. Select your investment options based on your personal savings style, tolerance for risk, time horizon before your child goes to college, savings goals, and other factors.

Decide how much you want to save then make a plan to do so. Maybe you want to cover some of the costs of a higher education like tuition, room and board, or just books. Or maybe you want to pay most or all of the costs. Whatever your choice, Ohio's 529 Plan, College Advantage, makes it easy to create your plan, your way.

USE OUR ONLINE TOOLS

We also have online tools to help you explore your tolerance for investment risk, estimate the cost of college, set goals, calculate the cost of waiting, and compare the tax advantages of a 529 plan versus other savings accounts. Just go to CollegeAdvantage.com/calculators-and-tools.

 **LEARN MORE & ENROLL**

Every dollar saved now is a dollar that doesn't have to be borrowed later. Ohio's 529 Plan makes it simple to save. Learn more and enroll online today at CollegeAdvantage.com

Ohio Tuition Trust Authority
35 E. Chestnut St., 8th Floor
Columbus, Ohio 43215

CollegeAdvantage.com
1-800-AFFORD-IT (800-233-6734)



CollegeAdvantage is a 529 college savings plan offered and administered by the Ohio Tuition Trust Authority, an office within the Ohio Department of Higher Education. Before investing, please read the Offering Statement and all Supplements carefully and consider the risks, fees, your investment objectives, and other relevant factors. If you are not a taxpayer in the state of Ohio, you should consider whether your home state offers any state tax or other benefits for investing in its 529 plan. This document is provided for informational purposes only, and nothing herein constitutes legal or tax advice.



CollegeAdvantage Direct 529 Savings Plan Account Application

Read the Offering Statement and Participation Agreement before opening an Account as it contains important information you need to know before investing in the CollegeAdvantage Direct 529 Savings Plan.

IMPORTANT INFORMATION ABOUT OPENING A NEW ACCOUNT. We are required by federal law to obtain from each person who opens an Account certain personal information—including name, street address, date of birth, and Social Security Number/Taxpayer Identification Number among other information—that will be used to verify your identity. If you do not provide us with this information, we will not be able to open your Account. If we are unable to verify your identity, we reserve the right to close your Account or take other steps we deem reasonable.

- Open an Account at **www.CollegeAdvantage.com** or complete this form to establish an Account.
- Your initial investment, by any source of funds, must total at least \$25 unless you are selecting a Fifth Third 529 Certificate of Deposit — **CDs require a \$500 minimum contribution.**
- Type in your information and print out the completed form, or print clearly, preferably in capital letters and black ink. Mail the form to the address below. Do not staple.

Forms can be downloaded from our website at **www.CollegeAdvantage.com**, or you can call us to order any form—or request assistance in completing this form—at **1-800-AFFORD-IT** (233-6734) Monday through Friday from 8:30 a.m. to 6 p.m. Eastern Time.

Return this form and any other required documents to:

**CollegeAdvantage Direct 529 Savings Plan
P.O. Box 219305
Kansas City, MO 64121-9305**

For overnight delivery or registered mail, send to:

**CollegeAdvantage Direct 529 Savings Plan
1001 E 101st Terrace, Suite 200
Kansas City, MO 64131**

1. Account type

- Select one of the Account types below.
- If you do not select an Account type, we will open an Individual Account for you.

Individual Account. I am opening a new 529 Plan Account.

UGMA/UTMA Account. I am opening this Account with assets liquidated from an UGMA/UTMA custodial account. I am aware that this may be a taxable event.

Indicate the state (*please abbreviate*) in which the UGMA/UTMA custodial account was opened.



* OH COLL ADV DIR ACC APPL *

6. Investment Option selection

- **Before choosing your Investment Option(s), see the *Offering Statement and Participation Agreement* (also available at www.CollegeAdvantage.com) for complete information about the investments offered.**
- If you would like to choose investment portfolios for your initial funding complete Section A. If you would like to invest in a Certificate of Deposit complete Section B. If you select Section A, the portfolio percentages you select will be your Future Contribution Allocation Instructions until you notify us otherwise. Please consider your investment time horizon when selecting Investment Option(s).

A. Investment Portfolios

- You must allocate at least **1%** of your contributions to each Investment Option that you choose. Use whole percentages only.
- Your investment percentages must total **100%**.
- The assets will remain in the portfolio you select until you exchange them into a new Investment Option.

Vanguard Ohio Target Enrollment Portfolios

(Your investment mix automatically becomes more conservative as the beneficiary nears the target enrollment year.)

Vanguard Ohio Target Enrollment 2042/2043 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2040/2041 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2038/2039 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2036/2037 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2034/2035 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2032/2033 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2030/2031 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2028/2029 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2026/2027 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2024/2025 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Target Enrollment 2022/2023 Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Ohio Commencement Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%

Year of Enrollment Date Portfolios

The asset allocation of money invested in the Year of Enrollment Date Portfolios is automatically adjusted over time to become more conservative as the Beneficiary approaches enrollment. Your assets will be automatically invested in the Year of Enrollment Date Portfolio that matches your Beneficiary's date of birth.

Advantage Age-Based Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
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Ready-Made Risk-Based Portfolios

Vanguard Aggressive Growth Index Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Growth Index Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Moderate Growth Index Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Conservative Growth Index Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Income Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%

Individual Investment Options

MUTUAL FUND BASED OPTIONS

International Equity Options (Stocks)

Dimensional Fund Advisors - World ex U.S. Core Equity Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Total International Stock Index Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%

U.S. Equity Options (Stocks)

Vanguard Strategic Equity Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Extended Market Index Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard U.S. Growth Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Windsor II Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard 500 Index Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%

Balanced Option (Mix of Stocks and Bonds)

Vanguard Wellington Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
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Fixed Income Options (Bonds)

Vanguard High Yield Corporate Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Dimensional Fund Advisors - DFA Investment Grade Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Total Bond Market Index Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
Vanguard Short-Term Inflation-Protected Securities Index Option	<input type="text"/>	<input type="text"/>	<input type="text"/>	%

Capital Preservation Option (Cash)

Interest Accumulation Portfolio	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
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BANKING OPTIONS (Cash) (FDIC-insured to certain limits)

Fifth Third 529 Savings Account	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
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Total	<input type="text"/>	<input type="text"/>	<input type="text"/>	%
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8. SIGNATURE— YOU MUST SIGN BELOW

We must have your signature to process your Application and to certify your Social Security Number, which is located in **Section 2**. By signing below, I certify that:

- I AM AGREEING TO THE TERMS OF THE CURRENT *OFFERING STATEMENT AND PARTICIPATION AGREEMENT* AND THE TERMS OF THIS APPLICATION. I UNDERSTAND THAT I SHOULD CONSULT A FINANCIAL OR LEGAL ADVISOR IF I HAVE ANY QUESTIONS ABOUT THE TERMS AND CONDITIONS OF THIS AGREEMENT. MY SIGNATURE BELOW INDICATES I HAVE READ AND UNDERSTAND THE CURRENT *OFFERING STATEMENT AND PARTICIPATION AGREEMENT* FOR THE COLLEGEADVANTAGE DIRECT 529 SAVINGS PLAN OFFERED EXCLUSIVELY THROUGH THE OHIO TUITION TRUST AUTHORITY, AND AGREE TO THE TERMS THEREIN AND HEREIN. THIS APPLICATION, TOGETHER WITH THE *OFFERING STATEMENT AND PARTICIPATION AGREEMENT*, CONSTITUTES MY CONTRACT WITH THE OHIO TUITION TRUST AUTHORITY WITH RESPECT TO AMOUNTS INVESTED IN THE PLAN.
- The information provided on this form is true and correct. The Successor Trustee, Beneficiary and myself (Trustee) are U.S. citizens or resident aliens. The Social Security Numbers in **Section 2, 4, and 5** are correct.
- The Ohio Tuition Trust Authority is authorized to recognize only my signature below for the withdrawal of funds or transactions of any other business regarding this account until written notice to the contrary is received and accepted by the Tuition Trust or its designee.
- If participating in Electronic Bank Transfers (EBT), my signature below authorizes the Ohio Tuition Trust Authority or its designee to initiate the debit entries to my bank account indicated above, and the bank indicated above to debit the same account. I agree to indemnify and hold harmless my bank and the Ohio Tuition Trust Authority or its designee for any loss, liability or expense incurred from acting on these instructions. I also reserve the right to revoke this authorization by written notification to the Ohio Tuition Trust Authority or its designee, with reasonable time given to implement my request.
- In accordance with federal law, I understand the CollegeAdvantage Program Administrators are required to obtain my name, residential or business address, Social Security or Tax Identification Number, driver's license or state-issued I. D. Card number, and date of birth in order to verify my identity and for tax reporting purposes. In addition, my signature below authorizes Ohio Tuition Trust Authority personnel to access my personal confidential information as necessary for the administration of my account. The information I provide may be shared with third parties for the purpose of verification subject to the terms of the CollegeAdvantage Administrators' privacy policies. The Ohio Tuition Trust Authority is unable to accept this new account if any required information is not provided. If the CollegeAdvantage Program Administrators are unable to verify the Account Owner's identity, this account will be closed and the assets in the account distributed at the share value.
- If I am not an Ohio resident or taxpayer, I understand that the state in which I or my Beneficiary resides may offer state tax or other benefits to its residents or taxpayers who invest in that state's 529 Plan.
- I understand that under federal tax law any rollover to another state's 529 Plan that will accept it must occur within 60 days. If I have any additional questions concerning the tax consequences of any such distribution, I will refer to the "Tax Information" section of the *Offering Statement and Participation Agreement*, or consult my professional tax advisor.
- I understand that any investment in a CollegeAdvantage mutual fund-based investment option is not insured or guaranteed by the FDIC or any other governmental agency or other party, including the State of Ohio, the Ohio Tuition Trust Authority or any of the mutual fund firms under contract with OTTA. Any investment in a Fifth Third investment option, however, is insured by the FDIC, up to the limits set by the FDIC. An investment in a CollegeAdvantage mutual fund-based investment option is not a direct investment in a mutual fund itself. Except for the Fifth Third investment options, participants assume all investment risk of an investment in CollegeAdvantage, including the potential loss of principal. I understand that the value of my account will vary depending on market conditions and the performance of the Investment Option(s) I select. Regular investing does not ensure a profit or protect against a loss. The amount actually available for withdrawal will depend on the investment performance of the investment options chosen and may not provide for the qualified higher education expenses of my Beneficiary.

Note: If you select any of the Fifth Third Bank Investment Options, then your signature below, together with this application and the *Offering Statement and Participation Agreement*, which includes Fifth Third Bank's Rules, Regulations, Agreements and Disclosures, constitutes the Deposit Agreement between you and Fifth Third Bank, National Association.

SIGNATURE

Signature of Account Owner (**Required**)

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Date (mm/dd/yyyy)

OHIO EXPOSITIONS COMMISSION

DRUG-FREE WORKPLACE POLICY

PURPOSE

To establish a policy that mirrors the State of Ohio Administrative Policy which is designed to provide and maintain a drug-free workplace within State of Ohio agencies, boards and commissions that are under the authority of the governor ("State of Ohio" or "State").

POLICY

The State of Ohio is a drug-free workplace. To provide and maintain a drug-free workplace, State of Ohio employees (or "employees") are required to follow the standards established by this policy. Additionally, the State of Ohio will not hire anyone who is known to currently abuse a restricted substance. However, this policy shall not preclude the State from hiring persons who are in recovery.

- A. **Fit-for-Duty Requirement:** State of Ohio employees are required to be fit-for-duty at the time they report to work and any time they are in active work status or otherwise in the workplace. For purposes of this policy, to be fit-for-duty means the employee is able to perform the essential functions of his/her job and he/she does not currently abuse a restricted substance.
 - A.1 **Note on Enforcement:** An employee who is suspected of abusing a restricted substance in violation of this policy shall be subject to the testing procedures administered by the State of Ohio Drug-Free Workplace Services Program and/or discipline, as provided below.

- B. **Prohibitions on Unlawful Activities:** While in active work status or otherwise in the workplace, State of Ohio employees shall not unlawfully manufacture, distribute, dispense, possess, purchase, transfer, or use a restricted substance.

- C. **Limitations on Additional Activities:** Regardless of whether the conduct is otherwise lawful, State of Ohio employees who are in active work status or otherwise in the workplace are also subject to the following limitations:
 - C.1 **Alcohol:** Alcohol is a restricted substance for purposes of this policy. Accordingly, except as provided below State of Ohio employees who are in active work status or otherwise in the workplace shall not manufacture, distribute, dispense, possess, purchase, transfer or use alcohol.

C.2 Medical Marijuana: Medical marijuana is a restricted substance for purposes of this policy (see Definitions). Accordingly, except as provided below, State of Ohio employees who are in active work status or otherwise in the workplace shall not manufacture, distribute, dispense, possess, purchase, transfer or use medical marijuana.

C.2.1 Application to Employees Outside of Active Work Status and Outside of the Workplace: This policy is not intended to prohibit medical marijuana use by State of Ohio employees (or applicants) who are NOT in active work status at the time of use, provided that:

- Such use is in accordance with applicable Ohio law, this policy, and any other applicable policy, procedure, work rule, or directive (collectively “standards”);
- Such use does not occur within the workplace;
- The employee’s position is not subject to Federal Department of Transportation (DOT) Testing;
- The employee’s position does not require an individual holding that position to transport, carry, or otherwise possess a firearm or ammunition and,
- When the employee returns to active work status or is otherwise in the workplace, he/she is fit-for-duty as provided above.

C.3 Prescription Medication: A prescription medication is a restricted substance for purposes of this policy (see Definitions). Accordingly, State of Ohio employees who are in active work status or otherwise in the workplace shall not abuse a prescription medication.

C.3.1 **Note Regarding Medical Marijuana:** For purposes of this policy, Medical Marijuana is not a prescription (see Definitions). As explained above, State of Ohio employees cannot possess medical marijuana while in active work status or otherwise in the workplace.

C.4 Exception: This policy is not intended to prohibit an act that is pursuant to an employee’s job duties, such as undercover investigations conducted by law enforcement.

C.5 Firearms: Any employee (or applicant) in a position that requires him/her to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from unlawfully using any controlled substance as defined by federal law.

C.6 Employees Subject to Federal DOT Testing: This policy does not affect, in any way, the requirements of the federal Omnibus Transportation Employee Testing Act of 1991 and applicable United States Department of Transportation regulations (collectively, “DOT drug testing laws”). Any employee (or applicant) in a position that is subject to Federal DOT

Testing is prohibited from using drugs and/or alcohol (both defined by federal law) in a manner that violates DOT drug testing laws.

C.6.1 Note Regarding Medical Marijuana: Marijuana is one of the classes of drugs included in a Federal DOT Test. As such, any employee (or applicant) who holds a position that is subject to Federal DOT Testing is prohibited from using medical marijuana, at any time, even if a medical marijuana recommendation or other medical documentation is provided.

- D. **Enforcement:** This policy will be enforced through management supervision and the State of Ohio Drug-Free Workplace Services Program. Where appropriate, violations of this policy shall be reported to the Ohio State Highway Patrol or other appropriate law enforcement authorities.

The State of Ohio Drug-Free Workplace Services Program will include the following components:

D.1 Types of Tests:

D.1.1 *Applicant Testing:* Final applicants for (1) safety sensitive positions in state service that have tentatively met all relevant employment criteria but have not been officially offered employment with the State (see *Applicant Testing Designated Positions*); or, 2) any final applicant for a designated unclassified position will undergo drug testing prior to hiring. Applicants for these positions must complete and successfully pass the drug test as a condition of employment. Agencies may waive the applicant drug-testing requirement for a state employee if the employee has a negative drug test on record and has not had a break in service since that test was conducted.

D.1.2 *Random Drug Testing:* Employees who occupy a position designated as a safety sensitive position are subject to random drug and alcohol testing according to the requirements of any applicable collective bargaining agreement(s). Employees in safety sensitive positions that are exempt from collective bargaining are subject to random drug and alcohol testing requirements as determined by the Director of the Department of Administrative Services (DAS).

D.1.3 *Rebuttable Presumption Testing:* Pursuant to ORC § 4123.54, when an employee who suffers a work-related injury tests positive for alcohol or drugs or refuses to be tested, the positive test or refusal to test creates a rebuttable presumption that the presence of alcohol/drugs in an employee's system is the proximate cause of a work-related injury. The burden of proof then shifts to the employee to prove that the presence of the alcohol or drug was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Worker's Compensation Act.

- *Note Regarding Medical Marijuana:* This policy does NOT affect rebuttable presumption testing pursuant to ORC § 4123.54. Accordingly, medical marijuana use is not excused for purposes of rebuttable presumption testing.

D.1.4 *Reasonable Suspicion Testing:* Any employee may undergo alcohol and/or drug testing based on a for-cause determination by management. Any employee involved in a significant incident in which the health or safety of himself/herself or other individuals is involved, or in which extensive property damage has occurred, will be subject to reasonable suspicion testing in accordance with the requirements of any applicable collective bargaining agreement(s) or the Director of DAS.

D.1.5 *Follow-up Testing:* Any employee referred through administrative channels to a counseling or rehabilitation program as a result of that employee's positive test may be subject to follow-up testing according to specifications and provisions of any applicable collective bargaining agreement(s), or, for employees exempt from collective bargaining, the policy of the Director of DAS.

D.1.6 *Federal DOT Testing:* Employees whose duties require them to have a commercial driver's license and drive certain types of vehicles are subject to drug and alcohol testing in accordance with the federal Omnibus Transportation Employee Testing Act of 1991 and applicable United States Department of Transportation regulations.

D.2 Confidentiality of Test Results: Confidentiality of alcohol and/or other drug test results will be maintained to the extent provided by law, and employees shall have the opportunity to refute the results of any alcohol and/or other drug tests as provided below.

D.3 Opportunity to Provide Medical Documentation: Employees or applicants shall be given the opportunity as required by applicable collective bargaining agreements, or in the absence of such agreements, as stipulated by the Director of DAS, to offer an explanation or submit medical documentation of legally prescribed medication, medical marijuana recommendation, or exposure to toxic substances which may explain a positive test result. Such information shall be reviewed only by the medical review officer (MRO) in his/her determination of the validity of a positive test and shall be released to the employer only to explain a test result.

D.3.1 *Employee Responsibility:* The employee is solely responsible for providing medical documentation as instructed by the MRO. This responsibility includes, but may not be limited to, coordinating any necessary records exchange between the employee's physician and the MRO and ensuring that the MRO receives the requested documentation within the timeframe provided by the MRO.

D.3.2 *Firearms/Ammunition*: Any employee (or applicant) in a position that requires him/her to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from unlawfully using any controlled substance as defined by federal law. Marijuana is a controlled substance that is prohibited by federal law. As such, any employee (or applicant) who holds a position that is required to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from using medical marijuana, at any time, even if a medical marijuana recommendation or other medical documentation is provided.

D.3.3 *Employees Subject to Federal DOT Testing*: Any employee (or applicant) in a position that is subject to Federal DOT Testing is prohibited from using drugs and/or alcohol (both defined by federal law) in a manner that violates DOT drug testing laws. Marijuana is a prohibited drug for purposes of Federal DOT Testing. As such, any employee (or applicant) who holds a position that is subject to Federal DOT Testing is prohibited from using medical marijuana, at any time, even if a medical marijuana recommendation or other medical documentation is provided.

D.4 Refusal to Test: An employee's test will be treated as a positive test, subject to discipline as provided below, if the employee refuses to submit to a properly-ordered test or if the employee otherwise fails to cooperate with the testing process. An applicant will not be hired if the applicant refuses to submit to an applicant test or if the applicant fails to cooperate with the testing process.

D.4.1 *Examples*: The types of actions listed below will be considered a refusal to test. This list is not intended to be all inclusive.

- Refusal to sign test forms;
- Refusal to provide a specimen to be tested or an adequate amount of the specimen;
- Alteration or substitution of the test specimen;
- Any other failure to cooperate during the testing process that prevents proper completion of the test; or
- Any other act of refusal as described in the State of Ohio Employee Drug Free Workplace Manual.

D.5 Disciplinary Action: An employee who violates any of the standards contained in this policy will be subject to disciplinary actions pursuant to ORC § 124.34, the disciplinary provisions of any applicable state collective bargaining agreement, employing agency, board or commission work rules, and/or other applicable policies/procedures. In particular, sale or improper possession of a restricted substance, will result in the strongest form of discipline possible, up to and including termination.

D.5.1 *Blood Alcohol Level at or Above .02% and Below .04%*: An employee whose blood alcohol level tests at or above .02% and below .04% shall be immediately removed from

duty until the start of the employee's next schedule shift or for twenty-four (24) hours, whichever is greater.

- Employees removed from duty may use any accrued leave or compensatory time at the employee's option, or be placed in a leave without pay status if accrued leave or compensatory time is not available.
- The employee may be subject to discipline

D.5.2 Rehabilitation Program: Employees who have a confirmed positive alcohol or other drug test may be required to enroll in and successfully complete a substance abuse rehabilitation program certified by the Ohio Department of Mental Health and Addiction Services.

- If an employee has a confirmed positive test while enrolled in, or subsequent to completion of, the rehabilitation program, the employee will be subject to discipline, up to and including termination.
- This provision in no way limits the employer's ability to also discipline for workplace or job-related incidents that may be directly or indirectly associated with the test results.

E. **Voluntary Employee Assistance Program Participation:** The Ohio Employee Assistance Program (or "EAP") refers employees or their families to appropriate substance abuse rehabilitation programs. These programs are often covered by the employee's health insurance plan. Employees with substance abuse problems are encouraged to voluntarily contact the EAP and enroll in a rehabilitation program certified by the Ohio Department of Mental Health and Addiction Services. Voluntary contact of the EAP or enrollment in a substance abuse program will not adversely affect employment. However, unacceptable job performance, attendance, and/or behavioral problems may result in disciplinary action, up to and including termination.

F. **Reasonable Accommodations:** The State recognizes that some prescription medications and medical marijuana may affect judgment, coordination and physical ability. Employees who need an accommodation should submit a request to their agency human resources office.

F.1 Prescription Medication: For accommodation requests regarding prescription medication, agencies, boards and commissions shall evaluate such requests in accordance with applicable law, the standards established in this policy, and any other applicable policy or directive.

F.2 Medical Marijuana: For accommodation requests regarding medical marijuana, agencies, boards and commissions may evaluate such requests in accordance with the standards established in this policy and any other applicable policy or directive.

F.3 **Testing:** For accommodation requests regarding testing, agencies, boards and commission shall evaluate such requests in accordance with applicable law, the standards established in this policy, and any other applicable policy or directive.

G. **Applicants or Employees in Recovery:** All State agencies, boards and commissions shall ensure their agency, board or commission drug-free workplace policy and implementation thereof complies with the Americans with Disabilities Act. In accordance with 28 CFR § 35.131, agencies, boards and commissions shall not discriminate against an applicant or employee who is not engaging in current illegal use of a restricted substance and, who:

- Successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully;
- Is participating in a supervised rehabilitation program; or
- Is erroneously regarded as engaging in such use.

H. **Criminal Drug Convictions:** Each employee is required to notify the Appointing Authority of his/her agency, board or commission within five (5) calendar days after he/she receives a conviction for violating any federal or state criminal drug statute where such violation occurred at the workplace or any location where official state business is conducted.

H.1 Any employee who fails to report such a conviction will be subject to immediate termination.

H.2 The employing state agency, board or commission may have an obligation to notify any U.S. government agency with which it has a contract or grant within ten (10) days after receiving notice from the employee or otherwise actual notice of such conviction. If required, any criminal drug conviction occurring in the workplace will be reported to federal granting authorities.

H.3 Within thirty (30) days of such notification, the Appointing Authority will be required to take appropriate disciplinary action against such an employee, up to and including termination. The Appointing Authority may also refer the employee to the Ohio EAP for referral and treatment.

I. **Contractors and Vendors:** Agencies, boards and commissions shall require contractors and vendors to comply with applicable state and federal laws regarding drug-free workplace. Contractors and vendors shall be required to make a good-faith effort to ensure that their employees, while working on State property, will not unlawfully manufacture, distribute, dispense, possess, purchase, transfer or use a restricted substance.

J. **Management Responsibilities:** Agencies, boards and commissions shall ensure that managers and supervisors receive training on the Drug-Free Workplace Policy and the drug-testing program. Training resources are available for agencies, boards and commissions through the DAS Office of Drug-Free Workplace Programs.

J.1 Further, agencies, boards and commissions (through their managers and supervisors) shall be responsible for implementation, enforcement and monitoring of the policy and program to ensure that they are administered consistently, fairly and within appropriate constitutional parameters.

K. **Training:** All State of Ohio employees will be provided with periodic Drug-Free Workplace training. The training will include information regarding the:

- Dangers of alcohol and other drug abuse in the workplace;
- State of Ohio Drug-Free Workplace Policy;
- Ohio EAP and other available treatment programs; and,
- Penalties that may be imposed upon employees for alcohol and/or other drug abuse violations occurring at the workplace or any location where official business is conducted.

INQUIRIES

Direct inquiries about this policy to:

Jo Ellen Albanese, HR Director
Ohio Expo Center and State Fair
614-644-4015
j.albanese@expo.ohio.gov

IMPLEMENTATION:

This policy become effective immediately and rescinds previous memoranda, directives and policies on the subject.

Effective: June 29, 2018
Updated: January 1, 2025

OHIO EXPOSITIONS COMMISSION DRUG-FREE WORKPLACE POLICY

DEFINITIONS

For purposes of this policy, the defined terms specifically designated within shall have the meanings prescribed below:

- a. Abuse. Means the following:
 - 1) The use of any prescription medication in a manner inconsistent with its prescription, or under circumstances where use is not permitted;
 - 2) The use of recommended medical marijuana in a manner inconsistent with a medical purpose, or under circumstances where use is not permitted; or,
 - 3) The use of any other restricted substance under circumstances where use is not permitted

- b. Active Work Status. Means the conditions under which an employee is actually in a work status and is eligible to receive pay. Active work status includes stand-by status or any other circumstance where the employee is notified by his/her employing agency to be available during off-duty hours for a possible call to report to work and the employee receives compensation for all such hours. Active work status does not include vacation pay, sick leave, bereavement leave, compensatory time, holidays, personal leave, and disability leave.

- c. Alcohol. Is ethyl alcohol or ethanol.

- d. Controlled Substance. A drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV or V, as provided in ORC § 3719.41.

- e. Conviction. A finding of guilty, no contest (including a plea of nolo contendere), or the imposition of a sentence by a judge or jury in any federal or state court.

- f. Fit-for-Duty. For purposes of this policy, to be fit-for-duty means the employee is able to perform the essential functions of his/her job and he/she does not currently abuse a restricted substance.

- g. Follow-up Testing. Testing ordered as a result of an employee's having tested positive on a prior test, in violation of an employer's work policy, state drug or alcohol testing regulations, federal drug or alcohol testing regulations, and/or applicable collective bargaining agreement provisions.

- h. Medical Marijuana. Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose, as defined in ORC § 3796.01. Medical marijuana is a controlled substance.

A patient only qualifies to use medical marijuana if he or she is on the registry established by the Ohio State Board of Pharmacy with a valid and active recommendation issued by a physician.

1) Note: For purposes of this policy, medical marijuana is not a prescription medication

- i. Medical Review Officer. A person who is a licensed physician or other professional delineated in federal regulations with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with a person's medical history and other relevant biomedical information.
- j. Prescription Medication. A written or oral order for a controlled substance for the use of a particular person given by a practitioner in the course of professional practice and in accordance with the regulations promulgated by the director of the United States Drug Enforcement Administration pursuant to the federal drug abuse control laws.
 - 1) Note: For purposes of this policy, medical marijuana is not a prescription medication
- k. Reasonable Suspicion Testing. Alcohol or other drug testing based on a belief that an employee is using or has used a restricted substance in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.
- l. Rebuttable Presumption. An assumption of fact that is accepted to be true unless someone proves it to be untrue.
- m. Restricted Substance. Includes:
 - 1) "Alcohol" as defined above in paragraph c;
 - 2) "Controlled Substance[s]" as defined above in paragraph d; and,
 - 3) Any substance, legal or illegal, that is used intentionally, inappropriately, and impairs job performance.

Please Note: Medical Marijuana and Prescription Medications (see definitions above in paragraphs h and j, are "controlled substances"; and therefore, each are "restricted substances" for purposes of this policy.
- n. Safety Sensitive. Any job, position, work-related function, or job task designated as such by the employer, which through the nature of the activity could be dangerous to the physical well-being of or jeopardize the security of the employee, co-workers, customers, or the general public through a lapse in attention or judgment.
- o. State of Ohio Drug-Free Workplace Services Program. The program administered by the Ohio Department of Administrative Services to administer and coordinate Ohio's compliance with provisions of the federal Drug-Free Workplace Act of 1988, the Omnibus Transportation Employee

Testing act of 1991, collective bargaining agreements, and any other federal or state laws or regulations requiring substance abuse testing.

- p. Workplace. A state-owned or utilized premises for official state business or any place where official state business is conducted. This includes state-owned/leased vehicles and other motorized equipment.



State of Ohio Administrative Policy

Drug-Free Workplace

No: HR-39

State Human Resources Division

Effective:

December 8, 2023

Issued By:

Kathleen C. Madden, Director

I. Purpose

To establish a policy that is designed to provide and maintain a drug-free **Workplace** within state agencies. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all state agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies).

III. Policy

The State of Ohio is a drug-free Workplace. To provide and maintain a drug-free Workplace, State of Ohio employees are required to follow the standards established by this policy. Additionally, the State of Ohio will not hire anyone who is known to currently **Abuse a Restricted Substance**. However, this policy shall not preclude the State from hiring persons who are in recovery.

A. Fit for Duty Requirement

1. State of Ohio employees are required to be **Fit-for-Duty** at the time they report to work and any time they are in **Active Work Status** or otherwise in the Workplace.
2. Any employee who is in Active Work Status or otherwise in the Workplace with a prohibited level of a Restricted Substance present in their bodily fluids will be considered in violation of this policy, unless such presence is otherwise exempt from this policy.
3. Note on Enforcement: An employee who is suspected of Abusing a Restricted Substance in violation of this policy shall be subject to the testing procedures administered by the **State of Ohio Drug-Free Workplace Program** and/or discipline, as provided in Section III.D.

- B. **Prohibitions on Unlawful Activities:** While in Active Work Status or otherwise in the Workplace, State of Ohio employees shall not unlawfully manufacture, distribute, dispense, possess, purchase, transfer, or use a Restricted Substance.
- C. **Limitations on Additional Activities:** Regardless of whether the conduct is otherwise lawful, State of Ohio employees who are in Active Work Status or otherwise in the Workplace are also subject to the following limitations:
1. **Alcohol:** Except as provided in Section III.C.5., State of Ohio employees who are in Active Work Status or otherwise in the Workplace shall not manufacture, distribute, dispense, possess, purchase, transfer, or use Alcohol.
 2. **Non-Medical Cannabis:** Except as provided in Section III.C.5, State of Ohio employees who are in Active Work Status or otherwise in the Workplace shall not manufacture, distribute, dispense, possess, purchase, transfer or use Non-Medical Cannabis.
 3. **Medical Marijuana:** Except as provided in Section III.C.5., State of Ohio Employees who are in Active Work Status or otherwise in the Workplace shall not manufacture, distribute, dispense, possess, purchase, transfer, or use Medical Marijuana.
 - a) Application to Employees Outside of Active Work Status and Outside of the Workplace: This policy is not intended to prohibit Medical Marijuana use by State of Ohio employees (or applicants) who are NOT in Active Work Status and who are outside of the Workplace at the time of use, provided that:
 - (i) Such use is in accordance with applicable Ohio law, this policy, and any other applicable policy, procedure, work rule, or directive (collectively “standards”);
 - (ii) The employee’s position is not subject to Federal Department of Transportation (DOT) Testing;
 - (iii) The employee’s position does not require an individual holding that position to transport, carry, or otherwise possess a firearm or ammunition; and,
 - (iv) When the employee returns to Active Work Status or is otherwise in the Workplace, the employee is Fit-for-Duty as provided in Section III.A.
 - b) Agency-Specific Standards: State Agencies shall not adopt standards regarding Medical Marijuana use by State of Ohio employees (or applicants) who are not in Active Work Status or otherwise in the Workplace that differ from the standards regarding Medical Marijuana established in this policy.
 4. **Prescription Medication:** State of Ohio employees who are in Active Work Status or otherwise in the Workplace shall not Abuse a Prescription Medication.
 - a) Agency-Specific Policies/Rules: Some state Agencies have specific policies and/or rules regarding employee possession of a Prescription Medication and/or over-the-counter medications while in Active Work Status or otherwise in the Workplace. Where applicable, State of Ohio employees are still required to follow such policies/rules.
 5. Exception: This policy is not intended to prohibit an act that is pursuant to an employee’s job duties, such as undercover investigations conducted by law enforcement.
 6. Firearms: Any employee (or applicant) in a position that requires the employee to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from unlawfully using any **Controlled Substance**.

7. Employees Subject to Federal DOT Testing: This policy does not affect, in any way, the requirements of the federal Omnibus Transportation Employee Testing Act of 1991 and applicable United States Department of Transportation regulations (collectively, DOT Drug Testing Laws). Any employee (or applicant) in a position that is subject to Federal DOT Testing is prohibited from using drugs and/or Alcohol (both defined by federal law) in a manner that violates DOT Drug Testing Laws.
- D. **Enforcement:** This policy will be enforced through management supervision and the State of Ohio Drug-Free Workplace Program. Where appropriate, violations of this policy shall be reported to the Ohio State Highway Patrol or other appropriate law enforcement authorities. Agencies should consult legal counsel to assist in making this determination.

The State of Ohio Drug-Free Workplace Program will include the following components:

1. Testing Guidelines: Testing is used to determine whether a prohibited level of a Restricted Substance is present in an employee's bodily fluids (Test or Testing). Testing procedures are conducted consistent with the DOT Drug Testing Laws, unless modified by any applicable collective bargaining agreement, or for employees exempt from collective bargaining, as determined by the Director of DAS. This includes procedures for sample collection, laboratory analysis, and reporting and reviewing results.
2. Types of Tests:
 - a) Applicant Testing: Final applicants for the following positions must complete and successfully pass a Test as a condition of employment.
 - (1) **Safety Sensitive** positions in state service that have tentatively met all relevant employment criteria but have not been officially offered employment with the State (see Section VI for a link to a list of Applicant Testing Designated Positions).
 - (2) A designated unclassified position will undergo Testing prior to hiring. Agencies may waive the applicant Testing requirement for an unclassified state employee if the employee has a negative Test on record and has not had a break in service since that Test was conducted.
 - b) Random Testing: Employees who occupy a position designated as a Safety Sensitive position are subject to random Testing according to the requirements of any applicable collective bargaining agreement(s). Employees in Safety Sensitive positions who are exempt from collective bargaining are subject to random Testing requirements as determined by the Director of DAS.
 - c) **Rebuttable Presumption** Notice:
 - (1) Pursuant to ORC 4123.54, when an employee who suffers a work-related injury has a positive Test or refuses a Test, the positive Test or refusal to Test creates a Rebuttable Presumption that the presence of a Restricted Substance in an employee's system is the proximate cause of a work-related injury. The burden of proof then shifts to the employee to prove that the presence of the Restricted Substance was not the proximate cause of the work-related injury.

- (2) An employee who Tests positive or refuses to submit to Testing may be disqualified for compensation and benefits under the Workers' Compensation Act.
 - (3) A Medical Marijuana recommendation or other medical documentation is insufficient to demonstrate that the presence of marijuana was not the proximate cause of the work-related injury.
- d) **Reasonable Suspicion Testing:** Any employee may undergo Testing based on a for-cause determination by management. Any employee involved in a significant incident in which the health or safety of the employee or other individuals is involved, or in which extensive property damage has occurred, will be subject to Reasonable Suspicion Testing in accordance with the requirements of any applicable collective bargaining agreement(s), or for employees exempt from collective bargaining, as determined by the Director of DAS.
 - e) **Follow-up Testing:** Any employee referred through administrative channels to a counseling or rehabilitation program as a result of that employee's positive Test may be subject to Follow-up Testing according to specifications and provisions of any applicable collective bargaining agreement(s), or for employees exempt from collective bargaining, as determined by the Director of DAS.
 - f) **Federal DOT Testing:** Employees whose duties require them to have a commercial driver's license and drive certain types of vehicles are subject to Testing in accordance with the DOT Drug Testing Laws and applicable United States Department of Transportation regulations.
3. Confidentiality of Test Results: Confidentiality of Test results will be maintained to the extent provided by law, and employees shall have the opportunity to refute the results of any Tests as provided in Section III.D.4.
 4. Opportunity to Provide Medical Documentation: Employees or applicants shall be given the opportunity as required by applicable collective bargaining agreements, or in the absence of such agreements, as stipulated by the Director of DAS, to offer an explanation or submit medical documentation of Prescription Medication, Medical Marijuana recommendation, or exposure to toxic substances that may explain a positive Test result. Such information shall be reviewed only by the **Medical Review Officer (MRO)** in determining the validity of a positive Test and shall be released to the employer only to explain a Test result.
 - a) **Employee Responsibility:** The employee is solely responsible for providing medical documentation as instructed by the MRO. This responsibility includes, but may not be limited to, coordinating any necessary records exchange between the employee's physician and the MRO, and ensuring that the MRO receives the requested documentation within the timeframe provided by the MRO.
 - b) **Firearms/Ammunition:** Any employee (or applicant) in a position that requires the employee to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from unlawfully using any Controlled Substance. Marijuana is a Controlled Substance that is prohibited by federal law. As such, any employee (or applicant) who holds a position that is required to carry or otherwise possess or transport a firearm(s) or ammunition is prohibited from using marijuana, at any

time, even if a Medical Marijuana recommendation or other medical documentation is provided.

- c) Employees Subject to Federal DOT Testing: Any employee (or applicant) in a position that is subject to Federal DOT Testing is prohibited from using drugs and/or Alcohol (both defined by federal law) in a manner that violates DOT Drug Testing Laws. Marijuana is a prohibited drug for purposes of Federal DOT Testing. As such, any employee (or applicant) who holds a position that is subject to Federal DOT Testing is prohibited from using marijuana, at any time, even if a Medical Marijuana recommendation or other medical documentation is provided.
5. Refusal to Test
- a) An employee's Test will be treated as a positive Test, subject to discipline as provided in Section III.D.6., if the employee refuses to submit to a properly ordered Test or if the employee otherwise fails to cooperate with the Testing process. An applicant will not be hired if the applicant refuses to submit to an applicant Test or if the applicant fails to cooperate with the Testing process.
 - b) Examples: The types of actions listed below will be considered a refusal to Test. This list is not intended to be all inclusive.
 - (i) Refusal to sign Test forms;
 - (ii) Refusal to provide a specimen to be Tested or an adequate amount of the specimen;
 - (iii) Alteration or substitution of the Test specimen;
 - (iv) Any other failure to cooperate during the Testing process that prevents proper completion of the Test;
 - (v) Any other act of refusal as described in the State of Ohio Employees Drug Free Workplace Manual.
6. Disciplinary Action: An employee who violates any of the standards contained in this policy and/or has a confirmed positive Test will be subject to disciplinary actions pursuant to ORC 124.34, the disciplinary provisions of any applicable state collective bargaining agreements, employing Agency work rules, and/or other applicable policies/procedures. Sale or improper possession of a Restricted Substance will result in the strongest form of discipline possible, up to and including termination.
- a) Rehabilitation Program: Employees who have a confirmed positive Test may be required to enroll in and successfully complete a substance abuse rehabilitation program certified by the Ohio Department of Mental Health and Addiction Services. Any disciplinary action may be held in abeyance if the employee enrolls in and successfully completes the substance abuse rehabilitation program. If an employee has a confirmed positive Test while enrolled in, or subsequent to completion of, the rehabilitation program, the employee will be subject to discipline, up to and including termination.
 - b) This provision in no way limits the Agency's ability to also discipline for Workplace or job-related incidents that may be directly or indirectly associated with the Test result.
 - c) Blood Alcohol Level at or Above .02% and Below .04%: An employee whose Test shows a blood Alcohol level at or above .02% and below .04% shall be immediately

removed from duty until the start of the employee's next scheduled shift or for 24 hours, whichever is greater.

- (i) Employees removed from duty may use any accrued leave or compensatory time at the employee's option, or be placed in a leave without pay status if accrued leave or compensatory time is not available.
- (ii) The employee may be subject to discipline.

E. **Voluntary Employee Assistance Program Participation:** The Ohio Employee Assistance Program (OEAP) refers employees or their families to appropriate substance abuse rehabilitation programs. These programs are often covered by the employee's health insurance plan. Employees with substance abuse problems are encouraged to voluntarily contact the OEAP and enroll in a rehabilitation program certified by the Ohio Department of Mental Health and Addiction Services. Voluntary contact of the OEAP or enrollment in a substance abuse program will not adversely affect employment. However, unacceptable job performance, attendance, and/or behavioral problems may result in disciplinary action, up to and including termination.

F. **Reasonable Accommodations:** The State recognizes that some Prescription Medications and Medical Marijuana may affect judgment, coordination, and physical ability. Employees who need an accommodation should submit a request to their Agency human resources office.

1. Prescription Medication: For accommodation requests regarding Prescription Medication, Agencies shall evaluate such requests in accordance with applicable law, the standards established in this policy, and any other applicable policy or directive.
2. Medical Marijuana: For accommodation requests regarding Medical Marijuana, Agencies may evaluate such requests in accordance with the standards established in this policy, and any other applicable policy or directive.
3. Testing: For accommodation requests regarding Testing, Agencies shall evaluate such requests in accordance with applicable law, the standards established in this policy, and any other applicable policy or directive.

G. **Applicants or Employees in Recovery:** All State Agencies shall ensure their Agency drug-free Workplace policy and implementation thereof complies with the Americans with Disabilities Act. Agencies shall not discriminate against an applicant or employee who is not engaging in current illegal use of a Restricted Substance; and, who:

1. Successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully;
2. Is participating in a supervised rehabilitation program; or
3. Is erroneously regarded as engaging in such use.

H. **Criminal Drug Convictions:** Each employee is required to notify the Agency's Appointing Authority within five (5) calendar days after being Convicted for violating any federal or state criminal drug statute where such violation occurred at the Workplace or any location where official state business is conducted.

1. Any employee who fails to report such a Conviction will be subject to immediate termination.
 2. The employing Agency may have an obligation to notify any U.S. government agency with which it has a contract or grant within ten (10) days after receiving notice from the employee or otherwise actual notice of such Conviction. If required, any criminal drug Conviction occurring in the Workplace will be reported to federal granting authorities.
 3. Within thirty (30) days of such notification, the employing Agency will be required to take appropriate disciplinary action against such an employee, up to and including termination. The employing Agency may also refer the employee to the OEAP for referral and treatment.
- I. **Contractors and Vendors:** Agencies shall require contractors and vendors to comply with applicable state and federal laws regarding drug-free Workplace. Contractors and vendors shall be required to make a good faith effort to ensure that their employees, while working on state property, will not unlawfully manufacture, distribute, dispense, possess, purchase, transfer, or use a Restricted Substance. Agencies should consult with their legal counsel to develop appropriate language to include in contracts.
- J. **Management Responsibilities**
1. Agencies shall ensure that managers and supervisors receive training on the Drug-Free Workplace Policy and the Testing program. Training resources are available for Agencies through the DAS Office of Drug-Free Workplace Program.
 2. Further, Agencies (through their managers and supervisors) shall be responsible for implementation, enforcement, and monitoring of the Policy and Program to ensure that they are administered consistently, fairly, and within appropriate constitutional parameters.
- K. **Training:** All State of Ohio employees will be provided with periodic Drug-Free Workplace training. The training will include information regarding:
1. The dangers of Alcohol and other drug abuse in the Workplace;
 2. The State of Ohio Drug-Free Workplace Policy;
 3. The OEAP and other available treatment programs; and,
 4. Penalties that may be imposed upon employees for Alcohol and/or other drug abuse violations occurring at the Workplace or any location where official business is conducted.

IV. Definitions

- A. Abuse.
1. The use of any Prescription Medication in a manner inconsistent with its prescription, or under circumstances where use is not permitted;

2. The use of recommended Medical Marijuana in a manner inconsistent with a medical purpose, or under circumstances where use is not permitted; or,
 3. The use of any other Restricted Substance under circumstances where use is not permitted.
- B. Active Work Status. The conditions under which an employee is actually in a work status and is eligible to receive pay. Active Work Status includes stand-by status or any other circumstance where the employee is notified by the employing Agency to be available during off-duty hours for a possible call to report to work and the employee receives compensation for all such hours. Active Work Status does not include vacation pay, sick leave, bereavement leave, compensatory time, holidays, personal leave, and disability leave.
- C. Alcohol. Ethyl alcohol or ethanol.
- D. Controlled Substance. A drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V, as provided in ORC 3719.41.
- E. Conviction. A finding of guilty, no contest (including a plea of nolo contendere), or the imposition of a sentence by a judge or jury in any federal or state court.
- F. Fit for Duty. For purposes of this policy, to be Fit for Duty means the employee is able to perform the essential functions of the job and does not currently abuse a Restricted Substance.
- G. Follow-up Testing. Testing ordered as a result of an employee testing positive on a prior Test, in violation of Agency work policy, state drug or Alcohol testing regulations, federal drug or Alcohol testing regulations, and/or applicable collective bargaining agreement provisions.
- H. Medical Marijuana. Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose, as defined in ORC 3796.01. Medical Marijuana is a Controlled Substance. An employee only qualifies to use Medical Marijuana if on the registry established in ORC 3796.08 with a valid and active recommendation issued by a physician. For purposes of this policy, Medical Marijuana is not a Prescription Medication.
- I. Medical Review Officer. A person who is a licensed physician or other professional delineated in federal regulations with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive Test results together with a person's medical history and other relevant biomedical information.
- J. Non-Medical Cannabis. Marijuana as defined in ORC 3719.01 that is not Medical Marijuana.
- K. Prescription Medication. A written or oral order for a Controlled Substance for the use of a particular person given by a practitioner in the course of professional practice and in accordance with the regulations promulgated by the director of the United States Drug Enforcement Administration pursuant to the federal drug abuse control laws.
1. Please Note: For purposes of this policy, Medical Marijuana is not a Prescription Medication.
- L. Reasonable Suspicion Testing. Testing based on a for-cause determination by management that an employee is in violation of this policy or relevant Agency policy. The determination may be drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.
- M. Rebuttable Presumption. An assumption of fact that is accepted to be true unless someone proves it to be untrue.
- N. Restricted Substance.
1. Alcohol;

- 2. Controlled Substance[s]; and,
 - 3. Any substance, legal or illegal, that is used intentionally, inappropriately, and impairs job performance.
 - 4. Medical Marijuana, Non-Medical Marijuana, and Prescription Medications are Controlled Substances and are Restricted Substances for purposes of this policy.
- O. Safety Sensitive. Any job, position, work-related function, or job task designated as such by the employer, which through the nature of the activity could be dangerous to the physical well-being of or jeopardize the security of the employee, co-workers, customers, or the general public through a lapse in attention or judgment.
- P. State of Ohio Drug-Free Workplace Program. The program administered by the Ohio Department of Administrative Services to administer and coordinate Ohio's compliance with provisions of the federal Drug-Free Workplace Act of 1988, the DOT Drug Testing Laws, collective bargaining agreements, and any other federal or state laws or regulations requiring Testing.
- Q. Workplace. A state-owned or utilized premises for official state business or any place where official state business is conducted. This includes state-owned/leased vehicles and other motorized equipment.

V. Authority

Drug-Free Workplace Act of 1988
 Americans with Disabilities Act of 1990, as amended
 Omnibus Transportation Employee Testing Act of 1991
 49 CFR Part 40
 ORC 3796.28
 OAC 123:1-45-01, 123:1-76-01 through 123:1-76-1

VI. Resources

Document Name	Location
Drug Testing Manual; DAS – Drug-Free Workplace Program	Drug Testing Manual (In process of being updated)
Rebuttable Presumption Required Posting; Ohio Bureau of Workers’ Compensation.	Rebuttable Presumption Posting
Applicant Testing Designated Positions; DAS – Drug-Free Workplace Program	Designated Positions (In process of being updated)

VII. Inquiries

Direct inquiries about this policy to:

Office of Drug-Free Workplace Program
 State Human Resources Division
 Ohio Department of Administrative Services

30 East Broad Street, 40th Floor
Columbus, Ohio 43215

614.466.6347 | dashrd.drugfreework@das.ohio.gov

Or

Labor Relations and Human Resources Policy
Office of Collective Bargaining
Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
06/18/2018	Reissued to address policy on Alcohol tests results between .02 and .04 and Medical Marijuana.
08/31/2021	Reissued for housekeeping.
09/01/2023	Housekeeping changes made and policy reissued in new statewide policy template.
12/08/2023	Reissued to address policy on Non-Medical Cannabis.



Date: August 4, 2021
Updated: January 1, 2025

MEMORANDUM

TO: OEC PERMANENT STAFF

FROM: JO ELLEN ALBANESE, HR DIRECTOR

SUBJECT: REASONABLE SUSPICION

REASONABLE SUSPICION

In the past, the Ohio Expositions Commission has implemented a Reasonable Suspicion Testing Program.

If you have reasonable suspicion that another employee is under the influence of drugs or alcohol, first contact your Supervisor. If you are unable to reach your Supervisor, contact one of the following in the sequence listed below.

Jo Ellen Albanese: 614-644-4015

Ferris Ellis: 614-644-4063

Highway Patrol: 614-644-0035





Date: August 4, 2021

Updated: January 1, 2025

WHAT YOU SHOULD KNOW ABOUT YOUR EMPLOYEE ASSISTANCE PROGRAM

The Ohio EAP is available to all State of Ohio employees and their family members. It is a support, information and referral service designed to help people confront their personal problems.

Personal problems are common to us all, but when they are left unresolved, our moods, attitude and job performance can be adversely affected.

Professional staff is available when you need someone to talk to, or need help in locating an attorney, a financial advisor, a support group or a referral to a mental health professional for ongoing counseling. All staff are licensed or certified in their respective disciplines.

EAP services are completely confidential. When you contact the Ohio EAP, no one will know about it unless you tell them. Confidentiality is one of the most important aspects of the program. No information concerning the nature of your problem will be released without your written consent.

As a State of Ohio employee, there is no charge for you or your dependents for using this service. Often, a single phone call can provide the help and direction needed to sort out a particular problem. If a referral is made for an ongoing counseling through United Behavioral Health, the state's contracted mental health provider, a small co-payment for which you are responsible, will be charged for each session.

We in Ohio government are very fortunate to have an employee assistance program. If you or someone you care about is having a problem, please contact your Ohio Employee Assistance Program at 614-644-8545 (Franklin County) or toll-free at 1-800-221-6327. For more information, visit their website at www.ohio.gov/eap.

The Ohio EAP is supported by both labor and management and has been a benefit to all state employees and their families since 1984.



Your Life. Your Work. Your Best.

Your GuidanceResources® Program

Sometimes life can feel overwhelming. It doesn't have to. Your ComPsych® GuidanceResources® program provides confidential counseling, expert guidance and valuable resources to help you handle any of life's challenges, big or small.

Services:

Confidential Emotional Support

- Anxiety, depression, stress
- Grief, loss and life adjustments
- Relationship/marital conflicts

Work and Lifestyle Support

- Child, elder and pet care
- Moving and relocation
- Shelter and government assistance

Legal Guidance

- Divorce, adoption and family law
- Wills, trusts and estate planning
- Free consultation and discounted local representation

Financial Resources

- Retirement planning, taxes
- Relocation, mortgages, insurance
- Budgeting, debt, bankruptcy and more

Digital Support

- Connect to counseling, work-life support or other services
- Tap into an array of articles, podcasts, videos, slideshows
- Improve your skills with On-Demand trainings

Interactive Digital Tools

- Self-care platform offers guided health programs
- Tackle anxiety, depression, stress
- Improve mindfulness, sleep, and more

Wellness Support

- Make positive lifestyle changes with health coaching
- Improve your nutrition, exercise habits, weight loss efforts
- Get help with smoking cessation, back care, resiliency and more

Life is challenging. We can help.
Confidential 24/7 support.



24/7 Live Assistance:
Call: 1.800.221.6327
TRS: Dial 711



Online: [guidanceresources.com](https://www.guidanceresources.com)
App: GuidanceNowSM
Web ID: OhioEAP



OHIO EXPOSITIONS COMMISSION

ETHICS POLICY

POLICY STATEMENT

It is the policy of the Ohio Expositions Commission to carry out its mission in accordance with the strictest ethical guidelines and to ensure that Ohio Expositions Commission members and employees conduct themselves in a manner that fosters public confidence in the integrity of the Ohio Expositions Commission, its processes, and its accomplishments.

GENERAL STANDARDS OF ETHICAL CONDUCT

Ohio Expositions Commission (OEC) members and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102 and 2921 of the Ohio Revised Code (R.C.), and as interpreted by the Ohio Ethics Commission and Ohio courts. (A copy of these laws is provided by the OEC, and receipt acknowledged, as required in R.C. 102.09(D).) Members and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

A general summary of the restraints upon the conduct of all members and employees includes, but is not limited to, those listed below. No member or employee shall:

- Solicit or accept anything of value from anyone doing business with the OEC;
- Solicit or accept employment from anyone doing business with the OEC, unless the member or employee completely withdraws from OEC activity regarding the party offering employment, and the OEC approves the withdrawal;
- Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
- Be paid or accept any form of compensation for personal services rendered on a matter before, or sell goods or services to, the OEC;
- Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to any state agency other than the OEC, unless the member or employee first discloses the services or sales *and* withdraws from matters before the OEC that directly affect officials and employees of the other state agency, as directed in R.C. 102.04;
- Hold or benefit from a contract with, authorized by, or approved by, the OEC (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where *all* criteria under R.C. 2921.42 are met);

- Vote, authorize, recommend, or in any other way use his or her position to secure approval of an OEC contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- Solicit or accept honoraria (see R.C. 102.01 (H) and 102.03 (H));
- During public service, and for one year after leaving public service, represent any person, in any fashion, before *any* public agency, with respect to a matter in which the official or employee personally participated while serving with the OEC;
- Use or disclose confidential information protected by law, unless appropriately authorized;
- Solicit or accept any compensation, except as allowed by law, to perform his or her official duties or any act or service in his or her official capacity; and
- Use or authorize the use of, his or her title, the name “Ohio Expositions Commission,” or “the OEC,” or the OEC’s logo in a manner that suggests impropriety, favoritism, or bias by the OEC official or employee.

For purposes of this policy:

- *“Anything of value”* includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. “Value” means worth greater than de minimis or nominal.
- *“Anyone doing business with the OEC”* includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the OEC.

FINANCIAL DISCLOSURE

Every Ohio Expositions Commission (OEC) member or employee required to file a financial disclosure statement must file a complete and accurate statement with the Ethics Commission by April 15 of each year. Any member or employee appointed or employed after February 15 and required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

ASSISTANCE

The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission’s web site address is: www.ethics.ohio.gov. Ohio Expositions Commission’s assistant attorney general and counsel for the Governor’s Office are available to answer questions involving this policy.

PENALTIES

Failure of any OEC official or employee to abide by the Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

IMPLEMENTATION

This policy becomes effective immediately and rescinds previous memoranda, directives or policies on the subject.

Effective Date: July 16, 2004

Updated: January 1, 2025

Ohio Ethics Law and Related Statutes



The Ohio Ethics Commission

Merom Brachman, Chairman
Mark Vander Laan, Vice Chairman
Bruce E. Bailey
Megan Kelley
Marty Ross-Dolen
Elizabeth E. Tracy

Paul M. Nick, Executive Director

June 2023

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THE OHIO ETHICS LAW: CHAPTER 102. OF THE REVISED CODE

Section 102.01 As used in this chapter:

(A) "Compensation" means money, thing of value, or financial benefit. "Compensation" does not include reimbursement for actual and necessary expenses incurred in the performance of official duties.

(B) "Public official or employee" means any person who is elected or appointed to an office or is an employee of any public agency. "Public official or employee" does not include a person elected or appointed to the office of precinct, ward, or district committee member under section 3517.03 of the Revised Code, any presidential elector, or any delegate to a national convention. "Public official or employee" does not include a person who is a teacher, instructor, professor, or other kind of educator whose position does not involve the performance of, or authority to perform, administrative or supervisory functions.

(C)(1) "Public agency" means the general assembly, all courts, any department, division, institution, board, commission, authority, bureau or other instrumentality of the state, a county, city, village, or township, the five state retirement systems, or any other governmental entity.

(2) Notwithstanding any contrary provision of division (C) (3)(a) of this section, "public agency" includes a regional council of governments established under Chapter 167. of the Revised Code.

(3) "Public agency" does not include either of the following:

(a) A department, division, institution, board, commission, authority, or other instrumentality of the state or a county, municipal corporation, township, or other governmental entity that functions exclusively for cultural, educational, historical, humanitarian, advisory, or research purposes; that does not expend more than ten thousand dollars per calendar year, excluding salaries and wages of employees; and whose members are uncompensated;

(b) The nonprofit corporation formed under section [187.01](#) of the Revised Code.

(D) "Immediate family" means a spouse residing in the person's household and any dependent child.

(E) "Income" includes gross income as defined and used in the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended, interest and dividends on obligations or securities of any state or of any political subdivision or authority of any state or political subdivision, and interest or dividends on obligations of any authority, commission, or instrumentality of the United States.

(F) Except as otherwise provided in division (A) of section 102.08 of the Revised Code, "appropriate ethics commission" means:

(1) For matters relating to members of the general assembly, employees of the general assembly, employees of the legislative service commission, and candidates for the office of member of the general assembly, and public members appointed to the Ohio constitutional modernization commission under section 103.63 of the Revised Code, the joint legislative ethics committee;

(2) For matters relating to judicial officers and employees, and candidates for judicial office, the board of commissioners on grievances and discipline of the supreme court;

(3) For matters relating to all other persons, the Ohio ethics commission.

(G) "Anything of value" has the same meaning as provided in section 1.03 of the Revised Code and includes, but is not limited to, a contribution as defined in section 3517.01 of the Revised Code.

(H) "Honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or similar gathering. "Honorarium" does not include ceremonial gifts or awards that have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; or earned income from any person, other than a legislative agent, for personal services that are customarily provided in connection with the practice of a bona fide business, if that business initially began before the public official or employee conducting that business was elected or appointed to the public official's or employee's office or position of employment.

(I) "Employer" means any person who, directly or indirectly, engages an executive agency lobbyist or legislative agent.

(J) "Executive agency decision," "executive agency lobbyist," and "executive agency lobbying activity" have the same meanings as in section 121.60 of the Revised Code.

(K) "Legislation," "legislative agent," "financial transaction," and "actively advocate" have the same meanings as in section 101.70 of the Revised Code.

(L) "Expenditure" has the same meaning as in section 101.70 of the Revised Code when used in relation to activities of a legislative agent, and the same meaning as in section 121.60 of the Revised Code when used in relation to activities of an executive agency lobbyist.

Sec. 102.02.

(A)(1) Except as otherwise provided in division (H) of this section, all of the following shall file with the appropriate ethics commission the disclosure statement described in this division on a form prescribed by the appropriate commission: every person who is elected to or is a candidate for a state, county, or city office and every person who is appointed to fill a vacancy for an unexpired term in such an elective office; all members of the state board of education; the director, assistant directors, deputy directors, division chiefs, or persons of equivalent rank of any administrative department of the state; the president or other chief administrative officer of every state institution of higher education as defined in section 3345.011 of the Revised Code; the executive director and the members of the capitol square review and advisory board appointed or employed pursuant to section 105.41 of the Revised Code; all members of the Ohio casino control commission, the executive director of the commission, all professional employees of the commission, and all technical employees of the commission who perform an internal audit function; the individuals set forth in division (B)(2) of section 187.03 of the Revised Code; the chief executive officer and the members of the board of each state retirement system; each employee of a state retirement board who is a state retirement system investment officer licensed pursuant to section 1707.163 of the Revised Code; the members of the Ohio retirement study council appointed pursuant to division (C) of section 171.01 of the Revised Code; employees of the Ohio retirement study council, other than employees who perform purely administrative or clerical functions; the administrator of workers' compensation and each member of the bureau of workers' compensation board of directors; the bureau of workers' compensation director of investments; the chief investment officer of the bureau of workers' compensation; all members of the board of commissioners on grievances and discipline of the supreme court and the ethics commission created under section 102.05 of the Revised Code; every business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or an educational service center; every person who is elected to or is a candidate for the office of member of a board of education of a city, local, exempted village, joint vocational, or cooperative education school district or of a governing board of an educational service center that has a total student count of twelve thousand or more as most recently determined by the department of education pursuant appointed to the board of education of a municipal school district pursuant to division (B) or (F) of section 3311.71 of the Revised Code; all members of the board of directors of a sanitary district that is established under Chapter 6115. of the Revised Code and organized wholly for the purpose of providing a water supply for domestic, municipal, and public use, and that includes two municipal corporations in two counties; every public official or employee who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code; members of the board of trustees and the executive director of the southern Ohio agricultural and community development foundation; all members appointed to the Ohio livestock care standards board under section 904.02 of the Revised Code; all entrepreneurs in residence assigned by the LeanOhio office in the department of administrative services under section 125.65 of the Revised Code and every other public official or employee who is designated by the appropriate ethics commission pursuant to division (B) of this section.

(2) The disclosure statement shall include all of the following:

(a) The name of the person filing the statement and each member of the person's immediate family and all names under which the person or members of the person's immediate family do business;

(b)(i) Subject to divisions (A)(2)(b)(ii) and (iii) of this section and except as otherwise provided in section 102.022 of the Revised Code, identification of every source of income, other than income from a legislative agent identified in division (A)(2)(b)(ii) of this section, received during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. If the person filing the statement is a member of the general assembly, the statement shall identify the amount of every

source of income received in accordance with the following ranges of amounts: zero or more, but less than one thousand dollars; one thousand dollars or more, but less than ten thousand dollars; ten thousand dollars or more, but less than twenty-five thousand dollars; twenty-five thousand dollars or more, but less than fifty thousand dollars; fifty thousand dollars or more, but less than one hundred thousand dollars; and one hundred thousand dollars or more. Division (A)(2)(b)(i) of this section shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of that business or profession, except for those individual items of income that are attributable to the person's or, if the income is shared with the person, the partner's, solicitation of services or goods or performance, arrangement, or facilitation of services or provision of goods on behalf of the business or profession of clients, including corporate clients, who are legislative agents. A person who files the statement under this section shall disclose the identity of and the amount of income received from a person who the public official or employee knows or has reason to know is doing or seeking to do business of any kind with the public official's or employee's agency.

(ii) If the person filing the statement is a member of the general assembly, the statement shall identify every source of income and the amount of that income that was received from a legislative agent during the preceding calendar year, in the person's own name or by any other person for the person's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. Division (A)(2)(b)(ii) of this section requires the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code, if those clients or patients are legislative agents. Division (A)(2)(b)(ii) of this section requires a person filing the statement who derives income from a business or profession to disclose those individual items of income that constitute the gross income of that business or profession that are received from legislative agents.

(iii) Except as otherwise provided in division (A)(2)(b)(iii) of this section, division (A)(2)(b)(i) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences as privileged communications except under specified circumstances. Division (A)(2)(b)(i) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in division (A)(2)(b)(iii) of this section to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(c) The name of every corporation on file with the secretary of state that is incorporated in this state or holds a certificate of compliance authorizing it to do business in this state, trust, business trust, partnership, or association that transacts business in this state in which the person filing the statement or any other person for the person's use and benefit had during the preceding calendar year an investment of over one thousand dollars at fair market value as of the thirty-first day of December of the preceding calendar year, or the date of disposition, whichever is earlier, or in which the person holds any office or has a fiduciary relationship, and a description of the nature of the investment, office, or relationship. Division (A)(2)(c) of this section does not require disclosure of the name of any bank, savings and loan association, credit union, or building and loan association with which the person filing the statement has a deposit or a withdrawable share account.

(d) All fee simple and leasehold interests to which the person filing the statement holds legal title to or a beneficial interest in real property located within the state, excluding the person's residence and property used primarily for personal recreation;

(e) The names of all persons residing or transacting business in the state to whom the person filing the statement owes, in the person's own name or in the name of any other person, more than one thousand dollars.

Division (A)(2)(e) of this section shall not be construed to require the disclosure of debts owed by the person resulting from the ordinary conduct of a business or profession or debts on the person's residence or real property used primarily for personal recreation, except that the superintendent of financial institutions shall disclose the names of all state-chartered savings and loan associations and of all service corporations subject to regulation under division (E)(2) of section 1151.34 of the Revised Code to whom the superintendent in the superintendent's own name or in the name of any other person owes any money, and that the superintendent and any deputy superintendent of banks shall disclose the names of all state-chartered banks and all bank subsidiary corporations subject to regulation under section Am. 1109.44 of the Revised Code to whom the superintendent or deputy superintendent owes any money.

(f) The names of all persons residing or transacting business in the state, other than a depository excluded under division (A)(2)(c) of this section, who owe more than one thousand dollars to the person filing the statement, either in the person's own name or to any person for the person's use or benefit. Division (A)(2)(f) of this section shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code, nor the disclosure of debts owed to the person resulting from the ordinary conduct of a business or profession.

(g) Except as otherwise provided in section 102.022 of the Revised Code, the source of each gift of over seventy-five dollars, or of each gift of over twenty-five dollars received by a member of the general assembly from a legislative agent, received by the person in the person's own name or by any other person for the person's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, or received from spouses, parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor;

(h) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source and amount of every payment of expenses incurred for travel to destinations inside or outside this state that is received by the person in the person's own name or by any other person for the person's use or benefit and that is incurred in connection with the person's official duties, except for expenses for travel to meetings or conventions of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues;

(i) Except as otherwise provided in section 102.022 of the Revised Code, identification of the source of payment of expenses for meals and other food and beverages, other than for meals and other food and beverages provided at a meeting at which the person participated in a panel, seminar, or speaking engagement or at a meeting or convention of a national or state organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or any political subdivision or any office or agency of a political subdivision pays membership dues, that are incurred in connection with the person's official duties and that exceed one hundred dollars aggregated per calendar year; (j) If the disclosure statement is filed by a public official or employee described in division (B)(2) of section 101.73 of the Revised Code or division (B)(2) of section 121.63 of the Revised Code who receives a statement from a legislative agent, executive agency lobbyist, or employer that contains the information described in division (F)(2) of section 101.73 of the Revised Code or division (G)(2) of section 121.63 of the Revised Code, all of the nondisputed information contained in the statement delivered to that public official or employee by the legislative agent, executive agency lobbyist, or employer under division (F)(2) of section 101.73 or (G)(2) of section 121.63 of the Revised Code.

(3) A person may file a statement required by this section in person, by mail, or by electronic means.

(4) A person who is required to file a statement under this section shall file that statement according to the following deadlines, as applicable:

(a) Except as otherwise provided in divisions (A)(4)(b), (c), and (d) of this section, the person shall file the statement not later than the fifteenth day of May of each year.

(b) A person who is a candidate for elective office shall file the statement no later than the thirtieth day before the primary, special, or general election at which the candidacy is to be voted on, whichever election occurs soonest, except that a person who is a write-in candidate shall file the statement no later than the twentieth day before the earliest election at which the person's candidacy is to be voted on.

(c) A person who is appointed to fill a vacancy for an unexpired term in an elective office shall file the statement within fifteen days after the person qualifies for office.

(d) A person who is appointed or employed after the fifteenth day of May, other than a person described in division (A)(4)(c) of this section, shall file an annual statement within ninety days after appointment or employment.

(5) No person shall be required to file with the appropriate ethics commission more than one statement or pay more than one filing fee for any one calendar year.

(6) The appropriate ethics commission, for good cause, may extend for a reasonable time the deadline for filing a statement under this section.

(7) A statement filed under this section is subject to public inspection at locations designated by the appropriate ethics commission except as otherwise provided in this section.

(B) The Ohio ethics commission, the joint legislative ethics committee, and the board of commissioners on grievances and discipline of the supreme court, using the rule-making procedures of Chapter 119. of the Revised Code, may require any class of public officials or employees under its jurisdiction and not specifically excluded by this section whose positions involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or the execution of other public trusts, to file an annual statement under division (A) of this section. The appropriate ethics commission shall send the public officials or employees written notice of the requirement not less than thirty days before the applicable filing deadline unless the public official or employee is appointed after that date, in which case the notice shall be sent within thirty days after appointment, and the filing shall be made not later than ninety days after appointment. Disclosure statements filed under this division with the Ohio ethics commission by members of boards, commissions, or bureaus of the state for which no compensation is received other than reasonable and necessary expenses shall be kept confidential. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by business managers, treasurers, and superintendents of city, local, exempted village, joint vocational, or cooperative education school districts or educational service centers shall be kept confidential, except that any person conducting an audit of any such school district or educational service center pursuant to section 115.56 or Chapter 117. of the Revised Code may examine the disclosure statement of any business manager, treasurer, or superintendent of that school district or educational service center. Disclosure statements filed with the Ohio ethics commission under division (A) of this section by the individuals set forth in division (B)(2) of section 187.03 of the Revised Code shall be kept confidential. The Ohio ethics commission shall examine each disclosure statement required to be kept confidential to determine whether a potential conflict of interest exists for the person who filed the disclosure statement. A potential conflict of interest exists if the private interests of the person, as indicated by the person's disclosure statement, might interfere with the public interests the person is required to serve in the exercise of the person's authority and duties in the person's office or position of employment. If the commission determines that a potential conflict of interest exists, it shall notify the person who filed the disclosure statement and shall make the portions of the disclosure statement that indicate a potential conflict of interest subject to public inspection in the same manner as is provided for other disclosure statements. Any portion of the disclosure statement that the commission determines does not indicate a potential conflict of interest shall be kept confidential by the commission and shall not be made subject to public inspection, except as is necessary for the enforcement of Chapters 102. and 2921. of the Revised Code and except as otherwise provided in this division.

(C) No person shall knowingly fail to file, on or before the applicable filing deadline established under this section, a statement that is required by this section.

(D) No person shall knowingly file a false statement that is required to be filed under this section.

(E)(1) Except as provided in divisions (E)(2) and (3) of this section, the statement required by division (A) or (B) of this section shall be accompanied by a filing fee of sixty dollars.

(2) The statement required by division (A) of this section shall be accompanied by the following filing fee to be paid by the person who is elected or appointed to, or is a candidate for, any of the following offices:

For state office, except member of the state board of education	\$95
For office of member of general assembly	\$40
For county office	\$60
For city office	\$35
For office of member of the state board of education	\$35
For office of member of a city, local, exempted village, or cooperative education board of education or educational service center governing board	\$30
For position of business manager, treasurer, or superintendent of a city, local, exempted village, joint vocational, or cooperative education school district or educational service center	\$30

(3) No judge of a court of record or candidate for judge of a court of record, and no referee or magistrate serving a court of record, shall be required to pay the fee required under division (E)(1) or (2) or (F) of this section.

(4) For any public official who is appointed to a nonelective office of the state and for any employee who holds a nonelective position in a public agency of the state, the state agency that is the primary employer of the state official or employee shall pay the fee required under division (E)(1) or (F) of this section.

(F) If a statement required to be filed under this section is not filed by the date on which it is required to be filed, the appropriate ethics commission shall assess the person required to file the statement a late filing fee of ten dollars for each day the statement is not filed, except that the total amount of the late filing fee shall not exceed two hundred fifty dollars.

(G)(1) The appropriate ethics commission other than the Ohio ethics commission and the joint legislative ethics committee shall deposit all fees it receives under divisions (E) and (F) of this section into the general revenue fund of the state.

(2) The Ohio ethics commission shall deposit all receipts, including, but not limited to, fees it receives under divisions (E) and (F) of this section, investigative or other fees, costs, or other funds it receives as a result of court orders, and all moneys it receives from settlements under division (G) of section 102.06 of the Revised Code, into the Ohio ethics commission fund, which is hereby created in the state treasury. All moneys credited to the fund shall be used solely for expenses related to the operation and statutory functions of the commission.

(3) The joint legislative ethics committee shall deposit all receipts it receives from the payment of financial disclosure statement filing fees under divisions (E) and (F) of this section into the joint legislative ethics committee investigative and financial disclosure fund.

(H) Division (A) of this section does not apply to a person elected or appointed to the office of precinct, ward, or district committee member under Chapter 3517. of the Revised Code; a presidential elector; a delegate to a national convention; village or township officials and employees; any physician or psychiatrist who is paid a salary or wage in accordance with schedule C of section 124.15 or schedule E-2 of section 124.152 of the Revised Code and whose primary duties do not require the exercise of administrative discretion; or any member of a board, commission, or bureau of any county or city who receives less than one thousand dollars per year for serving in that position.

Sec. 102.021

(A)(1) For the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, except as provided in division (B) or (D) of this section, each former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code shall file, on or before the deadlines specified in division (D) of this section, with the joint legislative ethics committee a statement that shall include the information described in divisions (A)(2), (3), (4), and (5) of this section, as applicable. The statement shall be filed on a form and in the manner specified by the joint legislative ethics committee. This division does not apply to a state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code, who leaves service or public employment, and who takes another position as a state elected officer or staff member who files or is required to file a disclosure statement under that section.

No person shall fail to file, on or before the deadlines specified in division (D) of this section, a statement that is required by this division.

(2) The statement referred to in division (A)(1) of this section shall describe the source of all income received, in the former state elected officer's or staff member's own name or by any other person for the person's use or benefit, and briefly describe the nature of the services for which the income was received if the source of the income was any of the following:

- (a) An executive agency lobbyist or a legislative agent;
- (b) The employer of an executive agency lobbyist or legislative agent, except that this division does not apply if the employer is any state agency or political subdivision of the state;
- (c) Any entity, association, or business that, at any time during the two immediately preceding calendar years, was awarded one or more contracts by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more, or bid on one or more contracts to be awarded by one or more state agencies that in the aggregate had a value of one hundred thousand dollars or more.

(3) If the former state elected officer or staff member received no income as described in division (A)(2) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(4) If the former state elected officer or staff member directly or indirectly made, either separately or in combination with another, any expenditure or gift for transportation, lodging, or food or beverages to, at the request of, for the benefit of, or on behalf of any public officer or employee, and if the former state elected officer or staff member would be required to report the expenditure or gift in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made, the statement referred to in division (A)(1) of this section shall include all information relative to that gift or expenditure that would be required in a statement under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code if the former state elected officer or staff member was a legislative agent or executive agency lobbyist at the time the expenditure or gift was made.

(5) If the former state elected officer or staff member made no expenditure or gift as described in division (A)(4) of this section, the statement referred to in division (A)(1) of this section shall indicate that fact.

(B) If, at any time during the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, a former state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code becomes a legislative agent or an executive agency lobbyist, the former state elected officer or staff member shall comply with all registration and filing requirements set forth in sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code, whichever is applicable, and, the former state elected officer or staff member also shall file a statement under division (A)(1) of this section except that the statement filed under division (A)(1) of this section does not need to include information regarding any income source, expenditure, or gift to the extent that that information was included in any registration or statement filed under sections 101.70 to 101.79 or sections 121.60 to 121.69 of the Revised Code.

(C) Except as otherwise provided in this division, division (A)(2) of this section applies to attorneys, physicians, and other persons who engage in the practice of a profession and who, pursuant to a section of the Revised Code, the common law of this state, a code of ethics applicable to the profession, or otherwise, generally are required not to reveal, disclose, or use confidences of clients, patients, or other recipients of professional services except under specified circumstances or generally are required to maintain those types of confidences

as privileged communications except under specified circumstances. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose the name, other identity, or address of a client, patient, or other recipient of professional services if the disclosure would threaten the client, patient, or other recipient of professional services, would reveal details of the subject matter for which legal, medical, or professional advice or other services were sought, or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services. Division (A)(2) of this section does not require an attorney, physician, or other professional subject to a confidentiality requirement as described in this division to disclose in the brief description of the nature of services required by division (A)(2) of this section any information pertaining to specific professional services rendered for a client, patient, or other recipient of professional services that would reveal details of the subject matter for which legal, medical, or professional advice was sought or would reveal an otherwise privileged communication involving the client, patient, or other recipient of professional services.

(D)(1) Each state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall file an initial statement under division (A)(1) of this section not later than the day on which the former state elected officer or staff member leaves public service or public employment. The initial statement shall specify whether the person will, or will not, receive any income from a source described in division (A)(2)(a), (b), or (c) of this section.

If a person files an initial statement under this division that states that the person will receive income from a source described in division (A)(2)(a), (b), or (c) of this section, the person is required to file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, except as otherwise provided in this division, the person is not required to file statements under division (A)(2), (4), or (5) of this section or to file subsequent statements under division (A)(3) of this section. If a person files an initial statement under this division that states that the person will not receive income from a source described in division (A)(2)(a), (b), or (c) of this section, and, subsequent to the filing of that initial statement, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division, and the person thereafter shall file statements under division (A)(2), (3), (4), or (5) of this section at the times specified in division (D)(2) of this section.

(2) After the filing of the initial statement under division (D)(1) of this section, each person required to file a statement under division (A)(2), (3), (4), or (5) of this section shall file it on or before the last calendar day of January, May, and September. The statements described in divisions (A)(2), (3), and (5) of this section shall relate to the sources of income the person received in the immediately preceding filing period from each source of income in each of the categories listed in division (A)(2) of this section. The statement described in division (A)(4) of this section shall include any information required to be reported regarding expenditures and gifts of the type described in division (A)(4) of this section occurring since the filing of the immediately preceding statement.

If, pursuant to this division, a person files a statement under division (A)(2) of this section, the person is required to file statements under division (A)(4) of this section, and subsequent statements under division (A)(2), (3), or (5) of this section, at the times specified in this division. In addition, if, subsequent to the filing of the statement under division (A)(2) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section that was not listed on the statement filed under division (A)(2) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source.

If, pursuant to this division, a person files a statement under division (A)(3) of this section, except as otherwise provided in this division, the person thereafter is not required to file statements under division (A)(2), (4), or (5) of this section, or to file subsequent statements under division (A)(3) of this section. If, subsequent to the filing of the statement under division (A)(3) of this section, the person receives any income from a source described in division (A)(2)(a), (b), or (c) of this section, the person within ten days shall file a statement under division (A)(2) of this section that contains the information described in that division regarding the new income source, and the person thereafter shall file statements under division (A)(4) of this section, and subsequent statements under division (A)(2) or (3) of this section, at the times specified in this division.

(3) No fee shall be required for filing a statement under this section, except that the joint legislative ethics committee may charge late fees in the same manner as specified in division (G) of section [101.72](#) of the Revised Code.

(E) Any state elected officer or staff member who filed or was required to file a disclosure statement under section 102.02 of the Revised Code and who leaves public service or public employment shall provide a forwarding address to the officer's or staff member's last employer, and the employer shall provide the person's name and address to the joint legislative ethics committee. The former elected state officer or staff member shall provide updated forwarding addresses as necessary to the joint legislative ethics committee during the twenty-four month period during which division (A)(1) of this section applies. The public agency or appointing authority that was the last employer of a person required to file a statement under division (A)(2) of this section shall furnish to the person a copy of the form needed to complete the initial statement required under division (D)(1) of this section.

(F) During the twenty-four month period immediately following the end of the former state elected officer's or staff member's service or public employment, no person required to file a statement under this section shall receive from a source described in division (A)(2)(a), (b), or (c) of this section, and no source described in division (A)(2)(a), (b), or (c) of this section shall pay to that person, any compensation that is contingent in any way upon the introduction, modification, passage, or defeat of any legislation or the outcome of any executive agency decision.

(G) As used in this section "state elected officer or staff member" means any elected officer of this state, any staff, as defined in section 101.70 of the Revised Code, or any staff, as defined in section 121.60 of the Revised Code.

Sec. 102.022

Each person who is an officer or employee of a political subdivision, who receives compensation of less than sixteen thousand dollars a year for holding an office or position of employment with that political subdivision, and who is required to file a statement under section [102.02](#) of the Revised Code; each member of the board of trustees of a state institution of higher education as defined in section [3345.011](#) of the Revised Code who is required to file a statement under section [102.02](#) of the Revised Code; and each individual set forth in division (B)(2) of section [187.03](#) of the Revised Code who is required to file a statement under section [102.02](#) of the Revised Code, shall include in that statement, in place of the information required by divisions (A)(2)(b), (g), (h), and (i) of that section, the following information:

(A) Exclusive of reasonable expenses, identification of every source of income over five hundred dollars received during the preceding calendar year, in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit, by the person filing the statement, and a brief description of the nature of the services for which the income was received. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code or patients of persons certified under section 4731.14 of the Revised Code. This division shall not be construed to require a person filing the statement who derives income from a business or profession to disclose the individual items of income that constitute the gross income of the business or profession.

(B) The source of each gift of over five hundred dollars received by the person in the officer's or employee's own name or by any other person for the officer's or employee's use or benefit during the preceding calendar year, except gifts received by will or by virtue of section 2105.06 of the Revised Code, received from parents, grandparents, children, grandchildren, siblings, nephews, nieces, uncles, aunts, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, fathers-in-law, mothers-in-law, or any person to whom the person filing the statement stands in loco parentis, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor.

Section 102.03

(A)(1) No present or former public official or employee shall, during public employment or service or for twelve months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision,

approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(2) For twenty-four months after the conclusion of service, no former commissioner or attorney examiner of the public utilities commission shall represent a public utility, as defined in section 4905.02 of the Revised Code, or act in a representative capacity on behalf of such a utility before any state board, commission, or agency.

(3) For twenty-four months after the conclusion of employment or service, no former public official or employee who personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, the development or adoption of solid waste management plans, investigation, inspection, or other substantial exercise of administrative discretion under Chapter 343. or 3734. of the Revised Code shall represent a person who is the owner or operator of a facility, as defined in section 3734.01 of the Revised Code, or who is an applicant for a permit or license for a facility under that chapter, on any matter in which the public official or employee personally participated as a public official or employee.

(4) For a period of one year after the conclusion of employment or service as a member or employee of the general assembly, no former member or employee of the general assembly shall represent, or act in a representative capacity for, any person on any matter before the general assembly, any committee of the general assembly, or the controlling board. Division (A)(4) of this section does not apply to or affect a person who separates from service with the general assembly on or before December 31, 1995. As used in division (A)(4) of this section "person" does not include any state agency or political subdivision of the state.

(5) As used in divisions (A)(1), (2), and (3) of this section, "matter" includes any case, proceeding, application, determination, issue, or question, but does not include the proposal, consideration, or enactment of statutes, rules, ordinances, resolutions, or charter or constitutional amendments. As used in division (A)(4) of this section, "matter" includes the proposal, consideration, or enactment of statutes, resolutions, or constitutional amendments. As used in division (A) of this section, "represent" includes any formal or informal appearance before, or any written or oral communication with, any public agency on behalf of any person.

(6) Nothing contained in division (A) of this section shall prohibit, during such period, a former public official or employee from being retained or employed to represent, assist, or act in a representative capacity for the public agency by which the public official or employee was employed or on which the public official or employee served.

(7) Division (A) of this section shall not be construed to prohibit the performance of ministerial functions, including, but not limited to, the filing or amendment of tax returns, applications for permits and licenses, incorporation papers, and other similar documents.

(8) Division (A) of this section does not prohibit a nonelected public official or employee of a state agency, as defined in section 1.60 of the Revised Code, from becoming a public official or employee of another state agency. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new state agency on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former state agency. However, no public official or employee of a state agency shall, during public employment or for twelve months thereafter, represent or act in a representative capacity for the official's or employee's new state agency on any audit or investigation pertaining to the official's or employee's new state agency in which the public official or employee personally participated at the official's or employee's former state agency through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(9) Division (A) of this section does not prohibit a nonelected public official or employee of a political subdivision from becoming a public official or employee of a different department, division, agency, office, or unit of the same political subdivision. Division (A) of this section does not prohibit such an official or employee from representing or acting in a representative capacity for the official's or employee's new department, division, agency, office, or unit on any matter in which the public official or employee personally participated as a public official or employee at the official's or employee's former department, division, agency, office, or unit of the same political subdivision. As used in this division, "political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

(10) No present or former Ohio casino control commission official shall, during public service or for two years thereafter, represent a client, be employed or compensated by a person regulated by the commission, or act in a representative capacity for any person on any matter before or concerning the commission.

No present or former commission employee shall, during public employment or for two years thereafter, represent a client or act in a representative capacity on any matter in which the employee personally participated as a commission employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.

(B) No present or former public official or employee shall disclose or use, without appropriate authorization, any information acquired by the public official or employee in the course of the public official's or employee's official duties that is confidential because of statutory provisions, or that has been clearly designated to the public official or employee as confidential when that confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and preserving its confidentiality is necessary to the proper conduct of government business.

(C) No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person, partnership, trust, business trust, corporation, or association in which the public official or employee or immediate family owns or controls more than five per cent. No public official or employee shall participate within the scope of duties as a public official or employee, except through ministerial functions as defined in division (A) of this section, in any license or rate-making proceeding that directly affects the license or rates of any person to whom the public official or employee or immediate family, or a partnership, trust, business trust, corporation, or association of which the public official or employee or the public official's or employee's immediate family owns or controls more than five per cent, has sold goods or services totaling more than one thousand dollars during the preceding year, unless the public official or employee has filed a written statement acknowledging that sale with the clerk or secretary of the public agency and the statement is entered in any public record of the agency's proceedings. This division shall not be construed to require the disclosure of clients of attorneys or persons licensed under section 4732.12 or 4732.15 of the Revised Code, or patients of persons licensed under section 4731.14 of the Revised Code.

(D) No public official or employee shall use or authorize the use of the authority or influence of office or employment to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(E) No public official or employee shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(F) No person shall promise or give to a public official or employee anything of value that is of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

(G) In the absence of bribery or another offense under the Revised Code or a purpose to defraud, contributions made to a campaign committee, political party, legislative campaign fund, political action committee, or political contributing entity on behalf of an elected public officer or other public official or employee who seeks elective office shall be considered to accrue ordinarily to the public official or employee for the purposes of divisions (D), (E), and (F) of this section.

As used in this division, "contributions," "campaign committee," "political party," "legislative campaign fund," "political action committee," and "political contributing entity" have the same meanings as in section 3517.01 of the Revised Code.

(H)(1) No public official or employee, except for the president or other chief administrative officer of or a member of a board of trustees of a state institution of higher education as defined in section 3345.011 of the Revised Code, who is required to file a financial disclosure statement under section 102.02 of the Revised Code shall solicit or accept, and no person shall give to that public official or employee, an honorarium. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from giving to that public official or employee the payment of actual travel expenses, including any expenses incurred in connection with the travel for lodging, and meals, food, and beverages provided to the public official or employee at a meeting at which the public

official or employee participates in a panel, seminar, or speaking engagement or provided to the public official or employee at a meeting or convention of a national organization to which any state agency, including, but not limited to, any state legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues. Except as provided in division (H)(2) of this section, this division and divisions (D), (E), and (F) of this section do not prohibit a public official or employee who is not required to file a financial disclosure statement under section 102.02 of the Revised Code from accepting and do not prohibit a person from promising or giving to that public official or employee an honorarium or the payment of travel, meal, and lodging expenses if the honorarium, expenses, or both were paid in recognition of demonstrable business, professional, or esthetic interests of the public official or employee that exist apart from public office or employment, including, but not limited to, such a demonstrable interest in public speaking and were not paid by any person or other entity, or by any representative or association of those persons or entities, that is regulated by, doing business with, or seeking to do business with the department, division, institution, board, commission, authority, bureau, or other instrumentality of the governmental entity with which the public official or employee serves.

(2) No person who is a member of the board of a state retirement system, a state retirement system investment officer, or an employee of a state retirement system whose position involves substantial and material exercise of discretion in the investment of retirement system funds shall solicit or accept, and no person shall give to that board member, officer, or employee, payment of actual travel expenses, including expenses incurred with the travel for lodging, meals, food, and beverages.

(I) A public official or employee may accept travel, meals, and lodging or expenses or reimbursement of expenses for travel, meals, and lodging in connection with conferences, seminars, and similar events related to official duties if the travel, meals, and lodging, expenses, or reimbursement is not of such a character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties. The house of representatives and senate, in their code of ethics, and the Ohio ethics commission, under section 111.15 of the Revised Code, may adopt rules setting standards and conditions for the furnishing and acceptance of such travel, meals, and lodging, expenses, or reimbursement.

A person who acts in compliance with this division and any applicable rules adopted under it, or any applicable, similar rules adopted by the supreme court governing judicial officers and employees, does not violate division (D), (E), or (F) of this section. This division does not preclude any person from seeking an advisory opinion from the appropriate ethics commission under section 102.08 of the Revised Code.

(J) For purposes of divisions (D), (E), and (F) of this section, the membership of a public official or employee in an organization shall not be considered, in and of itself, to be of such a character as to manifest a substantial and improper influence on the public official or employee with respect to that person's duties. As used in this division, "organization" means a church or a religious, benevolent, fraternal, or professional organization that is tax exempt under subsection 501(a) and described in subsection 501(c) (3), (4), (8), (10), or (19) of the "Internal Revenue Code of 1986." This division does not apply to a public official or employee who is an employee of an organization, serves as a trustee, director, or officer of an organization, or otherwise holds a fiduciary relationship with an organization. This division does not allow a public official or employee who is a member of an organization to participate, formally or informally, in deliberations, discussions, or voting on a matter or to use the public official's or employee's official position with regard to the interests of the organization on the matter if the public official or employee has assumed a particular responsibility in the organization with respect to the matter or if the matter would affect that person's personal, pecuniary interests.

(K) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with division (B) of section 309.06 and section 2921.421 of the Revised Code, for a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code, or for a coroner to appoint assistants and employees in accordance with division (B) of section 313.05 of the Revised Code.

As used in this division, "chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(L) No present public official or employee with a casino gaming regulatory function shall indirectly invest, by way of an entity the public official or employee has an ownership interest or control in, or directly invest in a casino operator, management company, holding company, casino facility, or gaming-related vendor.

No present public official or employee with a casino gaming regulatory function shall directly or indirectly have a financial interest in, have an ownership interest in, be the creditor or hold a debt instrument issued by, or have an interest in a contractual or service relationship with a casino operator, management company, holding company, casino facility, or gaming-related vendor. This section does not prohibit or limit permitted passive investing by the public official or employee.

As used in this division, "passive investing" means investment by the public official or employee by means of a mutual fund in which the public official or employee has no control of the investments or investment decisions. "Casino operator," "holding company," "management company," "casino facility," and "gaming-related vendor" have the same meanings as in section 3772.01 of the Revised Code.

(M) A member of the Ohio casino control commission, the executive director of the commission, or an employee of the commission shall not:

(1) Accept anything of value, including but not limited to a gift, gratuity, emolument, or employment from a casino operator, management company, or other person subject to the jurisdiction of the commission, or from an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission;

(2) Solicit, suggest, request, or recommend, directly or indirectly, to a casino operator, management company, or other person subject to the jurisdiction of the commission, or to an officer, attorney, agent, or employee of a casino operator, management company, or other person subject to the jurisdiction of the commission, the appointment of a person to an office, place, position, or employment;

(3) Participate in casino gaming or any other amusement or activity at a casino facility in this state or at an affiliate gaming facility of a licensed casino operator, wherever located.

In addition to the penalty provided in section 102.99 of the Revised Code, whoever violates division (M)(1), (2), or (3) of this section forfeits the individual's office or employment.

Sec. 102.031

(A) As used in this section:

(1) "Business associate" means a person with whom a member of the general assembly is conducting or undertaking a financial transaction.

(2) "Contribution" has the same meaning as in section 3517.01 of the Revised Code.

(3) "Employee" does not include a member of the general assembly whose nonlegislative position of employment does not involve the performance of or the authority to perform administrative or supervisory functions; or whose nonlegislative position of employment, if the member is a public employee, does not involve a substantial and material exercise of administrative discretion in the formulation of public policy, expenditure of public funds, enforcement of laws and rules of the state or a county or city, or execution of other public trusts.

(B) No member of the general assembly shall vote on any legislation that the member knows is then being actively advocated if the member is one of the following with respect to a legislative agent or employer that is then actively advocating on that legislation:

(1) An employee;

(2) A business associate;

(3) A person, other than an employee, who is hired under contract to perform certain services, and that position involves a substantial and material exercise of administrative discretion in the formulation of public policy.

(C) No member of the general assembly shall knowingly accept any of the following from a legislative agent or a person required to file a statement described in division (A)(2) of section 102.021 of the Revised Code:

(1) The payment of any expenses for travel or lodging except as otherwise authorized by division (H) of section 102.03 of the Revised Code;

(2) More than seventy-five dollars aggregated per calendar year as payment for meals and other food and beverages, other than for those meals and other food and beverages provided to the member at a meeting at which the member participates in a panel, seminar, or speaking engagement, at a meeting or convention of a national organization to which any state agency, including, but not limited to, any legislative agency or state institution of higher education as defined in section 3345.011 of the Revised Code, pays membership dues, or at a dinner, party, or function to which all members of the general assembly or all members of either house of the general assembly are invited;

(3) A gift of any amount in the form of cash or the equivalent of cash, or a gift of any other thing of value whose value exceeds seventy-five dollars. As used in division (C)(3) of this section, “gift” does not include any contribution or any gifts of meals and other food and beverages or the payment of expenses incurred for travel to destinations either inside or outside this state that is received by a member of the general assembly and that is incurred in connection with the member’s official duties.

(D) It is not a violation of division (C)(2) of this section if, within sixty days after receiving notice from a legislative agent that the legislative agent has provided a member of the general assembly with more than seventy-five dollars aggregated in a calendar year as payment for meals and other food and beverages, the member of the general assembly returns to that legislative agent the amount received that exceeds seventy-five dollars.

(E) The joint legislative ethics committee may impose a fine of not more than one thousand dollars upon a member of the general assembly who violates division (B) of this section.

Section 102.04

(A) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter that is before the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(B) Except as provided in division (D) of this section, no person elected or appointed to an office of or employed by the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts, shall sell or agree to sell, except through competitive bidding, any goods or services to the general assembly or any department, division, institution, instrumentality, board, commission, or bureau of the state, excluding the courts.

(C) Except as provided in division (D) of this section, no person who is elected or appointed to an office of or employed by a county, township, municipal corporation, or any other governmental entity, excluding the courts, shall receive or agree to receive directly or indirectly compensation other than from the agency with which he serves for any service rendered or to be rendered by him personally in any case, proceeding, application, or other matter which is before any agency, department, board, bureau, commission, or other instrumentality, excluding the courts, of the entity of which he is an officer or employee.

(D) A public official who is appointed to a nonelective office or a public employee shall be exempted from division (A), (B), or (C) of this section if both of the following apply:

(1) The agency to which the official or employee wants to sell the goods or services, or before which the matter that involves the rendering of his services is pending, is an agency other than the one with which he serves;

(2) Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the public agency with which he serves, and with the public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services.

The required statement shall contain the official’s or employee’s name and home address, the name and mailing address of the public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the public official’s or employee’s declaration that he disqualifies himself for a period of two years from any participation as such public official or employee in any matter involving any public official or employee of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same public agency regarding a particular matter more than once in a calendar year.

(E) No public official or employee who files a statement or is required to file a statement under division (D) of this section shall knowingly fail to disqualify himself from any participation as a public official or

employee of the agency with which he serves in any matter involving any official or employee of an agency before which a matter for which he rendered personal services was pending or of a public agency that purchased or agreed to purchase goods or services.

(F) This section shall not be construed to prohibit the performance of ministerial functions including, but not limited to, the filing, or amendment of tax returns, applications for permits and licenses, incorporation papers, and other documents.

Section 102.05

There is hereby created the Ohio ethics commission consisting of six members, three of whom shall be members of each of the two major political parties, to be appointed by the governor with the advice and consent of the senate. Within thirty days of the effective date of this section, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, one shall be for a term ending one year after the effective date of this section, and the other appointments shall be for terms ending two, three, four, five, and six years, respectively, after the effective date of this section. Thereafter, terms of office shall be for six years, each term ending on the same day of the same month of the year as did the term that it succeeds. Each member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall hold office for the remainder of that term.

No person shall be appointed to the commission or shall continue to serve as a member of the commission if the person is subject to section 102.02 of the Revised Code other than by reason of his appointment to the commission or if the person is a legislative agent registered under sections 101.70 to 101.79 of the Revised Code or an executive agency lobbyist registered under sections 121.60 to 121.69 of the Revised Code. Each member shall be paid seventy-five dollars for each meeting held in the discharge of his official duties, except that no member shall be paid more than eighteen hundred dollars in any fiscal year. Each member shall be reimbursed for expenses actually and necessarily incurred in the performance of his official duties.

The commission shall meet within two weeks after all members have been appointed, at a time and place determined by the governor. At its first meeting, the commission shall elect a chairman and other officers that are necessary and shall adopt rules for its procedures. After the first meeting, the commission shall meet at the call of the chairman or upon the written request of a majority of the members. A majority of the members of the commission constitutes a quorum. The commission shall not take any action without the concurrence of a majority of the members of the commission.

The commission may appoint and fix the compensation of an executive director and other technical, professional, and clerical employees that are necessary to carry out the duties of the commission.

The commission may appoint hearing examiners to conduct hearings pursuant to section 102.06 of the Revised Code. The hearing examiners have the same powers and authority in conducting the hearings as is granted to the commission. Within thirty days after the hearing, the hearing examiner shall submit to the commission a written report of his findings of fact and conclusions of law and a recommendation of the action to be taken by the commission. The recommendation of the hearing examiner may be approved, modified, or disapproved by the commission, and no recommendation shall become the findings of the commission until so ordered by the commission. The findings of the commission shall have the same effect as if the hearing had been conducted by the commission. Hearing examiners appointed pursuant to this section shall possess the qualifications the commission requires. Nothing contained in this section shall preclude the commission from appointing a member of the commission to serve as a hearing examiner.

Section 102.06

(A) The appropriate ethics commission shall receive and may initiate complaints against persons subject to this chapter concerning conduct alleged to be in violation of this chapter or section 2921.42 or 2921.43 of the Revised Code. All complaints except those by the commission shall be by affidavit made on personal knowledge, subject to the penalties of perjury. Complaints by the commission shall be by affidavit, based upon reasonable cause to believe that a violation has occurred.

(B) The appropriate ethics commission shall investigate complaints, may investigate charges presented to it, and may request further information, including the specific amount of income from a source, from any

person filing with the commission a statement required by section 102.02 or 102.021 of the Revised Code, if the information sought is directly relevant to a complaint or charges received by the commission pursuant to this section. This information is confidential, except that the commission, in its discretion, may share information gathered in the course of any investigation with, or disclose the information to, the inspector general, any appropriate prosecuting authority, any law enforcement agency, or any other appropriate ethics commission. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, or is a member of the bureau of workers' compensation board of directors, the appropriate ethics commission, in its discretion, also may share information gathered in the course of an investigation with, or disclose the information to, the attorney general and the auditor of state. The person so requested shall furnish the information to the commission, unless within fifteen days from the date of the request the person files an action for declaratory judgment challenging the legitimacy of the request in the court of common pleas of the county of the person's residence, the person's place of employment, or Franklin county. The requested information need not be furnished to the commission during the pendency of the judicial proceedings. Proceedings of the commission in connection with the declaratory judgment action shall be kept confidential except as otherwise provided by this section. Before the commission proceeds to take any formal action against a person who is the subject of an investigation based on charges presented to the commission, a complaint shall be filed against the person. If the commission finds that a complaint is not frivolous, and there is reasonable cause to believe that the facts alleged in a complaint constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall hold a hearing. If the commission does not so find, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of its finding. The person against whom the complaint is directed shall be given reasonable notice by certified mail of the date, time, and place of the hearing and a statement of the charges and the law directly involved and shall be given the opportunity to be represented by counsel, to have counsel appointed for the person if the person is unable to afford counsel without undue hardship, to examine the evidence against the person, to produce evidence and to call and subpoena witnesses in the person's defense, to confront the person's accusers, and to cross-examine witnesses. The commission shall have a stenographic record made of the hearing. The hearing shall be closed to the public.

(C)(1)(a) If, upon the basis of the hearing, the appropriate ethics commission finds by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code, it shall report its findings to the appropriate prosecuting authority for proceedings in prosecution of the violation and to the appointing or employing authority of the accused. If the accused person is a member of the public employees retirement board, state teachers retirement board, school employees retirement board, board of trustees of the Ohio police and fire pension fund, or state highway patrol retirement board, the commission also shall report its findings to the Ohio retirement study council.

(b) If the Ohio ethics commission reports its findings to the appropriate prosecuting authority under division (C)(1)(a) of this section and the prosecuting authority has not initiated any official action on those findings within ninety days after receiving the commission's report of them, the commission may publicly comment that no official action has been taken on its findings, except that the commission shall make no comment in violation of the Rules of Criminal Procedure or about any indictment that has been sealed pursuant to any law or those rules. The commission shall make no comment regarding the merits of its findings. As used in division (C)(1)(b) of this section, "official action" means prosecution, closure after investigation, or grand jury action resulting in a true bill of indictment or no true bill of indictment.

(2) If the appropriate ethics commission does not find by a preponderance of the evidence that the facts alleged in the complaint are true and constitute a violation of section 102.02, 102.021, 102.03, 102.04, 102.07, 2921.42, or 2921.43 of the Revised Code or if the commission has not scheduled a hearing within ninety days after the complaint is filed or has not finally disposed of the complaint within six months after it has been heard, it shall dismiss the complaint and notify the accused person in writing of the dismissal of the complaint. The commission shall not make a report of its finding unless the accused person requests a report. Upon the request of the accused person, the commission shall make a public report of the finding, but in this case all evidence and the record of the hearing shall remain confidential unless the accused person also requests that the evidence and

record be made public. Upon request by the accused person, the commission shall make the evidence and the record available for public inspection.

(D) The appropriate ethics commission, or a member of the commission, may administer oaths, and the commission may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and records. The commission shall issue subpoenas to compel the attendance of witnesses and the production of documents upon the request of an accused person. Section 101.42 of the Revised Code shall govern the issuance of these subpoenas insofar as applicable. Upon the refusal of any person to obey a subpoena or to be sworn or to answer as a witness, the commission may apply to the court of common pleas of Franklin county under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705. of the Revised Code. The commission or the accused person may take the depositions of witnesses residing within or without the state in the same manner as prescribed by law for the taking of depositions in civil actions in the court of common pleas.

(E) At least once each year, the Ohio ethics commission shall report on its activities of the immediately preceding year to the majority and minority leaders of the senate and house of representatives of the general assembly. The report shall indicate the total number of complaints received, initiated, and investigated by the commission, the total number of complaints for which formal hearings were held, and the total number of complaints for which formal prosecution was recommended or requested by the commission. The report also shall indicate the nature of the inappropriate conduct alleged in each complaint and the governmental entity with which any employee or official that is the subject of a complaint was employed at the time of the alleged inappropriate conduct.

(F) All papers, records, affidavits, and documents upon any complaint, inquiry, or investigation relating to the proceedings of the appropriate ethics commission shall be sealed and are private and confidential, except as otherwise provided in this section and section 102.07 of the Revised Code.

(G)(1) When a complaint or charge is before it, the Ohio ethics commission or the appropriate prosecuting authority, in consultation with the person filing the complaint or charge, the accused, and any other person the commission or prosecuting authority considers necessary, may compromise or settle the complaint or charge with the agreement of the accused. The compromise or settlement may include mediation, restitution, rescission of affected contracts, forfeiture of any benefits resulting from a violation or potential violation of law, resignation of a public official or employee, or any other relief that is agreed upon between the commission or prosecuting authority and the accused.

(2) Any settlement agreement entered into under division (G)(1) of this section shall be in writing and be accompanied by a statement of the findings of the commission or prosecuting authority and the reasons for entering into the agreement. The commission or prosecuting authority shall retain the agreement and statement in the commission's or prosecuting authority's office and, in the commission's or prosecuting authority's discretion, may make the agreement, the statement, and any supporting information public, unless the agreement provides otherwise.

(3) If a settlement agreement is breached by the accused, the commission or prosecuting authority, in the commission's or prosecuting authority's discretion, may rescind the agreement and reinstitute any investigation, hearing, or prosecution of the accused. No information obtained from the accused in reaching the settlement that is not otherwise discoverable from the accused shall be used in any proceeding before the commission or by the appropriate prosecuting authority in prosecuting the violation. Notwithstanding any other section of the Revised Code, if a settlement agreement is breached, any statute of limitations for a violation of this chapter or section 2921.42 or 2921.43 of the Revised Code is tolled from the date the complaint or charge is filed until the date the settlement agreement is breached.

Section 102.07

No member, employee, or agent of the Ohio ethics commission, board of commissioners on grievances and discipline of the supreme court, or joint legislative ethics committee shall divulge any information or any books, papers, or documents presented to the commission, joint legislative ethics committee, or board of commissioners on grievances and discipline without the consent, in writing, of the appropriate ethics commission, unless such books, papers, or documents were presented at a public hearing, except as provided in section 102.06 of the Revised Code.

No person shall divulge information that appears on a disclosure statement and is required to be kept confidential under division (B) of section 102.02 of the Revised Code.

Section 102.08*

* *See also following version of this section and explanation after that version.*

(A)(1) Subject to division (A)(2) of this section, the board of commissioners on grievances and discipline of the supreme court and the house and senate legislative ethics committees may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and shall render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the appropriate ethics commission renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. Except as otherwise provided in division (A)(2) of this section, the appropriate ethics commission shall include in every advisory opinion it renders a statement as to whether the set of circumstances described in the opinion constitutes a violation of section 2921.42 or 2921.43 of the Revised Code. The appropriate ethics commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. As used in division (A) of this section, "appropriate ethics commission" does not include the Ohio ethics commission.

(2) The board of commissioners on grievances and discipline of the supreme court shall issue advisory opinions only in a manner consistent with Rule V of the Supreme Court Rules for the Government of the Bar of Ohio.

(B) The Ohio ethics commission may recommend legislation relating to ethics, conflicts of interest, and financial disclosure and may render advice with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission. When the Ohio ethics commission renders a written formal or staff advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon the opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. The commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 285, effective 03-02-94.]

Section 102.08*

* *See also preceding version of this section and explanation below.*

(A) The Ohio ethics commission, the board of commissioners on grievances and discipline of the supreme court, and the joint legislative ethics committee may recommend legislation relating to ethics, conflicts of interest, and financial disclosure, and render advisory opinions with regard to questions concerning these matters for persons for whom it is the appropriate ethics commission.

(B) When the Ohio ethics commission or the board of commissioners on grievances and discipline of the supreme court renders an advisory opinion relating to a special set of circumstances involving ethics, conflict of interest, or financial disclosure under Chapter 102., section 2921.42, or section 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such

opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code based on facts and circumstances covered by the opinion, if the opinion states there is no violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code.

(C) When the joint legislative ethics committee renders an advisory opinion that has been publicly sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the person to whom the opinion was directed or who was similarly situated may reasonably rely upon such opinion and shall be immune from criminal prosecutions, civil suits, or actions for removal from his office or position of employment for a violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code based on the facts and circumstances covered by the opinion, if the opinion states that there is no violation of Chapter 102. or section 2921.42 or 2921.43 of the Revised Code. When the joint legislative ethics committee renders an advisory opinion that has been publicly sought, the advisory opinion is a public record available under section 149.43 of the Revised Code.

(D) When the joint legislative ethics committee renders a written opinion that has been privately sought and that relates to a special set of circumstances involving ethics, conflicts of interest, or financial disclosure under Chapter 102. or section 2921.42 or 2921.43 of the Revised Code, the written opinion does not have the legal effect of an advisory opinion issued under division (C) of this section. When the joint legislative ethics committee renders a written opinion that has been privately sought, the written opinion is not a public record available under section 149.43 of the Revised Code. The proceedings of the legislative ethics committee relating to a written opinion that has been privately sought shall be closed to the public and records relating to these proceedings are not public records available under section 149.43 of the Revised Code.

The person to whom a written opinion is issued under this division may request the committee to issue the written opinion as an advisory opinion. Upon receiving such a request and with the approval of a majority of the members of the committee, the committee may issue the written opinion as an advisory opinion. If the committee issues the written opinion as an advisory opinion, the advisory opinion has the same legal effect as an advisory opinion issued under division (C) of this section and is a public record available under section 149.43 of the Revised Code.

(E) The joint legislative ethics committee shall issue an advisory opinion under division (C) of this section or a written opinion under division (D) of this section, whether it is publicly or privately sought, only at a meeting of the committee and only with the approval of a majority of the members of the committee.

(F) The appropriate ethics commission shall provide a continuing program of education and information concerning the provisions of Chapter 102. and sections 2921.42 and 2921.43 of the Revised Code and other provisions of law pertaining to ethics, conflicts of interest, and financial disclosure. [Am. Sub. H.B. 492, effective 05-12-94.]

** R.C. 102.08 was amended by Am. Sub. H.B. 285 (eff. 03-02-94) and Am. Sub. H.B. 492 (eff. 05-12-94). Harmonization pursuant to R.C. 1.52 is in question. Both versions are presented here.*

Section 102.09

(A) The secretary of state and the county board of elections shall furnish, to each candidate for elective office who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission, within fifteen days of the name of the candidate, and of the subsequent withdrawal, disqualification, or death of the candidate. The candidate shall acknowledge receipt of the financial disclosure form in writing.

(B) The secretary of state and the county board of elections shall furnish to each person who is appointed to fill a vacancy for an unexpired term in an elective office, and who is required to file a financial disclosure statement by section 102.02 of the Revised Code, a financial disclosure form, and shall notify the appropriate ethics commission within fifteen days of being notified by the appointing authority, of the name and position of the public official and the date of appointment. The person shall acknowledge receipt of the financial disclosure form in writing.

(C) The public agency or appointing authority that employs, appoints, or promotes any public official or employee who, as a result of such employment, appointment, or promotion, is required to file a financial disclosure statement by section 102.02 of the Revised Code, shall, within fifteen days of the employment,

appointment, or promotion, furnish the public official or employee with a financial disclosure form, and shall notify the appropriate ethics commission of the name and position of the public official or employee and the date of employment, appointment, or promotion. The public official or employee shall acknowledge receipt of the financial disclosure form in writing.

(D) Within fifteen days after any public official or employee begins the performance of official duties, the public agency with which the official or employee serves or the appointing authority shall furnish the official or employee a copy of Chapter 102. and section 2921.42 of the Revised Code, and may furnish such other materials as the appropriate ethics commission prepares for distribution. The official or employee shall acknowledge their receipt in writing. The requirements of this division do not apply at the time of reappointment or reelection.

Section 102.99

(A) Whoever violates division (C) of section [102.02](#) or division (C) of section [102.031](#) of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division (D) of section [102.02](#) or section [102.021](#), [102.03](#), [102.04](#), or [102.07](#) of the Revised Code is guilty of a misdemeanor of the first degree.

(C) In addition to the penalty provided in division (B) of this section, whoever violates division (M)(1), (2), or (3) of section [102.03](#) of the Revised Code forfeits the individual's office or employment.

(D) In addition to the penalty provided in division (B) of this section, any person who violates division (F) of section [102.03](#) of the Revised Code is subject to the following:

(1) The court may prohibit the person from participating in a public contract with any public agency in this state for a period of two years if recommended by the agency by whom the offending public official or employee was employed.

(2) The court may order the person to pay an additional fine equal to the amount of any thing of value given in violation of division (F) of section [102.03](#) of the Revised Code.

(E) Upon application of the Ohio ethics commission, the court shall order a person who is convicted of a violation of section [102.021](#), [102.03](#), or [102.04](#) of the Revised Code to pay the costs incurred to investigate and prosecute the case. The amount ordered under this division shall not exceed the amount a person unlawfully secured, solicited, or accepted; the amount a person received as improper compensation, as an unlawful honorarium, or from the unlawful sale of goods or services; or the amount otherwise applicable under section [102.021](#), [102.03](#), or [102.04](#) of the Revised Code. These costs are in addition to any other cost or penalty provided in the Revised Code or any other provision of law.

CHAPTER 2921.

Section 2921.01 As used in sections 2921.01 to 2921.45 of the Revised Code:

(A) “Public official” means any elected or appointed officer, or employee, or agent of the state or any political subdivision, whether in a temporary or permanent capacity, and includes, but is not limited to, legislators, judges, and law enforcement officers. “Public official” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.01 of the Revised Code.

(B) “Public servant” means any of the following:

(1) Any public official;

(2) Any person performing ad hoc a governmental function, including, but not limited to, a juror, member of a temporary commission, master, arbitrator, advisor, or consultant;

(3) A person who is a candidate for public office, whether or not the person is elected or appointed to the office for which the person is a candidate. A person is a candidate for purposes of this division if the person has been nominated according to law for election or appointment to public office, or if the person has filed a petition or petitions as required by law to have the person’s name placed on the ballot in a primary, general, or special election, or if the person campaigns as a write-in candidate in any primary, general, or special election.

“Public servant” does not include an employee, officer, or governor-appointed member of the board of directors of the nonprofit corporation formed under section 187.01 of the Revised Code.

(C) “Party official” means any person who holds an elective or appointive post in a political party in the United States or this state, by virtue of which the person directs, conducts, or participates in directing or conducting party affairs at any level of responsibility.

(D) “Official proceeding” means any proceeding before a legislative, judicial, administrative, or other governmental agency or official authorized to take evidence under oath and includes any proceeding before a referee, hearing examiner, commissioner, notary, or other person taking testimony or a deposition in connection with an official proceeding.

(E) “Detention” means arrest; confinement in any vehicle subsequent to an arrest; confinement in any public or private facility for custody of persons charged with or convicted of crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States; hospitalization, institutionalization, or confinement in any public or private facility that is ordered pursuant to or under the authority of section 2945.37, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code; confinement in any vehicle for transportation to or from any facility of any of those natures; detention for extradition or deportation; except as provided in this division, supervision by any employee of any facility of any of those natures that is incidental to hospitalization, institutionalization, or confinement in the facility but that occurs outside the facility; supervision by an employee of the department of rehabilitation and correction of a person on any type of release from a state correctional institution; or confinement in any vehicle, airplane, or place while being returned from outside of this state into this state by a private person or entity, pursuant to a contract entered into under division (E) of section 311.29 of the Revised Code or division (B) of section 5149.03 of the Revised Code. For a person confined in a county jail who participates in a county jail industry program pursuant to section 5147.30 of the Revised Code, “detention” includes time spent at an assigned work site and going to and from the work site.

(F) “Detention facility” means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

(G) “Valuable thing or valuable benefit” includes, but is not limited to, a contribution. This inclusion does not indicate or imply that a contribution was not included in those terms before September 17, 1986.

(H) “Campaign committee,” “contribution,” “political action committee,” “legislative campaign fund,” “political party,” and “political contributing entity” have the same meanings as in section 3517.01 of the Revised Code.

(I) "Provider agreement" has the same meaning as in section 5164.01 of the Revised Code.

Sec. 2921.42.

(A) No public official shall knowingly do any of the following:

(1) Authorize, or employ the authority or influence of the public official's office to secure authorization of any public contract in which the public official, a member of the public official's family, or any of the public official's business associates has an interest;

(2) Authorize, or employ the authority or influence of the public official's office to secure the investment of public funds in any share, bond, mortgage, or other security, with respect to which the public official, a member of the public official's family, or any of the public official's business associates either has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees;

(3) During the public official's term of office or within one year thereafter, occupy any position of profit in the prosecution of a public contract authorized by the public official or by a legislative body, commission, or board of which the public official was a member at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder;

(4) Have an interest in the profits or benefits of a public contract entered into by or for the use of the political subdivision or governmental agency or instrumentality with which the public official is connected;

(5) Have an interest in the profits or benefits of a public contract that is not let by competitive bidding if required by law and that involves more than one hundred fifty dollars.

(B) In the absence of bribery or a purpose to defraud, a public official, member of a public official's family, or any of a public official's business associates shall not be considered as having an interest in a public contract or the investment of public funds, if all of the following apply:

(1) The interest of that person is limited to owning or controlling shares of the corporation, or being a creditor of the corporation or other organization, that is the contractor on the public contract involved, or that is the issuer of the security in which public funds are invested;

(2) The shares owned or controlled by that person do not exceed five per cent of the outstanding shares of the corporation, and the amount due that person as creditor does not exceed five per cent of the total indebtedness of the corporation or other organization;

(3) That person, prior to the time the public contract is entered into, files with the political subdivision or governmental agency or instrumentality involved, an affidavit giving that person's exact status in connection with the corporation or other organization.

(C) This section does not apply to a public contract in which a public official, member of a public official's family, or one of a public official's business associates has an interest, when all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the political subdivision or governmental agency or instrumentality involved;

(2) The supplies or services are unobtainable elsewhere for the same or lower cost, or are being furnished to the political subdivision or governmental agency or instrumentality as part of a continuing course of dealing established prior to the public official's becoming associated with the political subdivision or governmental agency or instrumentality involved;

(3) The treatment accorded the political subdivision or governmental agency or instrumentality is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted at arm's length, with full knowledge by the political subdivision or governmental agency or instrumentality involved, of the interest of the public official, member of the public official's family, or business associate, and the public official takes no part in the deliberations or decision of the political subdivision or governmental agency or instrumentality with respect to the public contract.

(D) Division (A)(4) of this section does not prohibit participation by a public employee in any housing program funded by public moneys if the public employee otherwise qualifies for the program and does not use the authority or influence of the public employee's office or employment to secure benefits from the program and if the moneys are to be used on the primary residence of the public employee. Such participation does not constitute an unlawful interest in a public contract in violation of this section.

(E) Whoever violates this section is guilty of having an unlawful interest in a public contract. Violation of division (A)(1) or (2) of this section is a felony of the fourth degree. Violation of division (A)(3), (4), or (5) of this section is a misdemeanor of the first degree.

(F) It is not a violation of this section for a prosecuting attorney to appoint assistants and employees in accordance with sections 309.06 and 2921.421 of the Revised Code, for a chief legal officer of a municipal

corporation or an official designated as prosecutor in a municipal corporation to appoint assistants and employees in accordance with sections 733.621 and 2921.421 of the Revised Code, or for a township law director appointed under section 504.15 of the Revised Code to appoint assistants and employees in accordance with sections 504.151 and 2921.421 of the Revised Code.

(G) This section does not apply to a public contract in which a township trustee in a township with a population of five thousand or less in its unincorporated area, a member of the township trustee's family, or one of the township trustee's business associates has an interest, if all of the following apply:

(1) The subject of the public contract is necessary supplies or services for the township and the amount of the contract is less than five thousand dollars per year;

(2) The supplies or services are being furnished to the township as part of a continuing course of dealing established before the township trustee held that office with the township;

(3) The treatment accorded the township is either preferential to or the same as that accorded other customers or clients in similar transactions;

(4) The entire transaction is conducted with full knowledge by the township of the interest of the township trustee, member of the township trustee's family, or the township trustee's business associate.

(H) Any public contract in which a public official, a member of the public official's family, or any of the public official's business associates has an interest in violation of this section is void and unenforceable. Any contract securing the investment of public funds in which a public official, a member of the public official's family, or any of the public official's business associates has an interest, is an underwriter, or receives any brokerage, origination, or servicing fees and that was entered into in violation of this section is void and unenforceable.

(I) As used in this section:

(1) "Public contract" means any of the following:

(a) The purchase or acquisition, or a contract for the purchase or acquisition, of property or services by or for the use of the state, any of its political subdivisions, or any agency or instrumentality of either, including the employment of an individual by the state, any of its political subdivisions, or any agency or instrumentality of either;

(b) A contract for the design, construction, alteration, repair, or maintenance of any public property.

(2) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

Sec. 2921.421

(A) As used in this section:

(1) "Chief legal officer" has the same meaning as in section 733.621 of the Revised Code.

(2) "Political subdivision" means a county, a municipal corporation, or a township that adopts a limited home rule government under Chapter 504. of the Revised Code.

(B) A prosecuting attorney may appoint assistants and employees, except a member of the family of the prosecuting attorney, in accordance with division (B) of section 309.06 of the Revised Code, a chief legal officer of a municipal corporation or an official designated as prosecutor in a municipal corporation may appoint assistants and employees, except a member of the family of the chief legal officer or official designated as prosecutor, in accordance with section 733.621 of the Revised Code, and a township law director appointed under section 504.15 of the Revised Code may appoint assistants and employees, except a member of the family of the township law director, in accordance with section 504.151 of the Revised Code, if all of the following apply:

(1) The services to be furnished by the appointee or employee are necessary services for the political subdivision or are authorized by the legislative authority, governing board, or other contracting authority of the political subdivision.

(2) The treatment accorded the political subdivision is either preferential to or the same as that accorded other clients or customers of the appointee or employee in similar transactions, or the legislative authority, governing board, or other contracting authority of the political subdivision, in its sole discretion, determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision.

(3) The appointment or employment is made after prior written disclosure to the legislative authority, governing board, or other contracting authority of the political subdivision of the business relationship between

the prosecuting attorney, the chief legal officer or official designated as prosecutor in a municipal corporation, or the township law director and the appointee or employee thereof. In the case of a municipal corporation, the disclosure may be made or evidenced in an ordinance, resolution, or other document that does either or both of the following:

- (a) Authorizes the furnishing of services as required under division (B)(1) of this section;
- (b) Determines that the compensation and other terms of appointment or employment of the appointee or employee are fair and reasonable to the political subdivision as required under division (B)(2) of this section.
- (4) The prosecuting attorney, the elected chief legal officer, or the township law director does not receive any distributive share or other portion, in whole or in part, of the earnings of the business associate, partner, or employee paid by the political subdivision to the business associate, partner, or employee for services rendered for the political subdivision.
- (C) It is not a violation of this section or of section 102.03 or 2921.42 of the Revised Code for the legislative authority, the governing board, or other contracting authority of a political subdivision to engage the services of any firm that practices the profession of law upon the terms approved by the legislative authority, the governing board, or the contracting authority, or to designate any partner, officer, or employee of that firm as a nonelected public official or employee of the political subdivision, whether the public office or position of employment is created by statute, charter, ordinance, resolution, or other legislative or administrative action.

Section 2921.43

(A) No public servant shall knowingly solicit or accept, and no person shall knowingly promise or give to a public servant, either of the following:

(1) Any compensation, other than as allowed by divisions (G), (H), and (I) of section 102.03 of the Revised Code or other provisions of law, to perform the public servant's official duties, to perform any other act or service in the public servant's public capacity, for the general performance of the duties of the public servant's public office or public employment, or as a supplement to the public servant's public compensation;

(2) Additional or greater fees or costs than are allowed by law to perform the public servant's official duties.

(B) No public servant for the public servant's own personal or business use, and no person for the person's own personal or business use or for the personal or business use of a public servant or party official, shall solicit or accept anything of value in consideration of either of the following:

(1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;

(2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(C) No person for the benefit of a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity shall coerce any contribution in consideration of either of the following:

(1) Appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency;

(2) Preferring, or maintaining the status of, any public employee with respect to compensation, duties, placement, location, promotion, or other material aspects of employment.

(D) Whoever violates this section is guilty of soliciting improper compensation, a misdemeanor of the first degree.

(E) A public servant who is convicted of a violation of this section is disqualified from holding any public office, employment, or position of trust in this state for a period of seven years from the date of conviction.

(F) Divisions (A), (B), and (C) of this section do not prohibit a person from making voluntary contributions to a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity or prohibit a political party, campaign committee, legislative campaign fund, political action committee, or political contributing entity, from accepting voluntary contributions.

FOR MORE INFORMATION, OR ADDITIONAL MATERIALS ON THE OHIO ETHICS LAW, PLEASE CONTACT:

OHIO ETHICS COMMISSION

**William Green Building
30 West Spring St., L3
Columbus, Ohio 43215-2256
Phone: (614) 466-7090
Fax: (614) 466-8368
www.ethics.ohio.gov**

Revised June 2023



January 1, 2025

OHIO EXPOSITIONS COMMISSION

Human Resources Department
Ohio Expositions Commission
717 E 17th Avenue
Columbus, OH 43211

I acknowledge that I have received a copy of the Ohio Ethics Law.

SIGNATURE: _____

DATE: _____





Expo Center & State Fairgrounds

DISABILITY INCLUSION AND ACCESSIBILITY FOR OHIO EXPOSITIONS COMMISSION EMPLOYEES AND APPLICANTS

PURPOSE

To establish standards and guidelines for those seeking and obtaining reasonable accommodations to successfully carry out the essential duties of a job, obtain employment and/or gain public access. These guidelines are to ensure all are afforded equal employment opportunities and equal access for Americans with disabilities when applying for employment for or working at the Ohio Expositions Commission (EXP).

APPLICABILITY

This policy applies to persons employed by the Ohio Expositions Commission (EXP), EXP applicants, contractors, volunteers, and individuals desiring to gain public access for EXP meetings, trainings, hosted events, etc.

POLICY

It is the responsibility of the Ohio Expositions Commission (EXP) to assure that equal employment opportunities exist for all positions without regard to disability. Discrimination against qualified individuals with disabilities that are employment seeking applicants, employees and employment related activities, and employees with disabilities is not tolerated at the Ohio Expositions Commission. EXP is dedicated to providing reasonable accommodation(s) for any and all employees who have disabilities. EXP prohibits discrimination in public access for individuals with disabilities. The Ohio Expositions Commission complies with all federal, state, and local laws regarding disability discrimination and accommodations.

PROCESS

EXP will provide an accessible and inclusive environment for all state employees, all applicants for state employment, and all people gaining public access to the EXP facilities for meetings, trainings, and EXP sponsored events. EXP will provide reasonable accommodation(s) based on disability for employees, qualified applicants for employment with EXP, and the public, unless such accommodation(s) would cause an undue hardship to the agency or, when any person shows a direct threat to the health, safety, or well-being of themselves or to others.

To request a reasonable accommodation (RA):

1. Employees:

- a. It is the responsibility of the employee with a disability to notify EXP that reasonable accommodation (RA) is needed.
- b. Employees may either contact the Human Resources department director/EEO officer, Jo Ellen Albanese either in person at the Human Resources office in the Administration building at Ohio Expositions Commission, 717 E. 17th Avenue, Columbus, OH 43211, by email at j.albanese@expo.ohio.gov , or by phone at 614-644-4015.
- c. Upon request of an RA, the employee must complete the Reasonable Accommodation Request form provided by Human Resources director/EEO officer, Jo Ellen Albanese OR download the form from their employee handbook, <https://www.ohioexpoctr.com/p/about/employee-handbook> .
- d. Applicants applying for an RA must also supply the Human Resources department director/EEO officer with proper medical documentation when requested. The Certification of Health Care Provider for Reasonable Accommodation form is provided at time of requesting the Reasonable Accommodation Request form OR downloadable from their employee handbook, <https://www.ohioexpoctr.com/p/about/employee-handbook> .
- e. Completed forms must be submitted before the review process for eligibility begins by the Human Resources director/EEO officer. Failure to submit requested medical documentation may result in denial of reasonable accommodation (RA) request.
- f. Someone other than the employee with the disability may request reasonable accommodation (RA) on behalf of the employee if all appropriate requested documentation is submitted. Whenever possible, such requests shall be confirmed with the employee.

2. EXP Hosted Meetings, Trainings, Events:

- a. All employees and the public visiting the Ohio Expositions Commission for EXP hosted meetings, trainings and/or events must be provided with written notice on how to request ADA reasonable accommodation (RA).
- b. EXP hosted meeting(s), training(s) and/or event(s) organizers will provide advance notice to inform individuals how to request ADA reasonable accommodation (RA). The organizer of said meeting(s), training(s) and/or event(s) shall include their information as stated below and will work with the EXP EEO Officer to facilitate the requested RA(s).
 - i. EXP offered or mandatory Trainings or Meetings
The following language shall be included in training or meeting communications: “The Ohio Expositions Commission is a disability inclusive agency within the State of Ohio. We promote access to our meetings and training. To request a reasonable accommodation due to disability, please contact Jo Ellen Albanese, Human Resources Director/EEO Officer at 614-644-4015 or j.albanese@expo.ohio.gov as soon as possible. Requests made ten (10) business days prior to the training or meeting will allow us to provide reasonable access, but the Ohio Expositions Commission will make every effort to meet requests made after that date.
 - ii. EXP offered Events
The following language shall be included in EXP offered events communications: “The Ohio Expositions Commission is a disability inclusive agency within the State of Ohio. We promote access to our EXP hosted events.

To request a reasonable accommodation due to disability, please contact: {organizer's name, title} at {telephone number} or {email address}.”

- iii. If any EXP employee requires assistance to receiving a reasonable accommodation (RA), contact the Human Resources Director/EEO Officer at j.albanese@expo.ohio.gov no later than ten (10) business days prior to the date needed.
- iv. EXP does not provide any reasonable accommodation(s) that would cause undue hardship to the Ohio Expositions Commission or is deemed a threat to the health and safety of all employees in the workplace.

3. Management Responsibility

- a. Requests for reasonable accommodation(s) that have been requested of the employee to their supervisor, either verbally or written, MUST be submitted to EXP HR director/EEO Officer immediately upon receipt of notification. Failure of a supervisor to notify the HR Director/EEO Officer of any request within one (1) business day may result in disciplinary action.
- b. The HR Director/EEO Officer will determine if the reasonable accommodation (RA) request is qualified pursuant to the American with Disabilities Act (ADA). Medical documentation MAY be requested when making a determination. EXP MAY request medical documentation regarding:
 - The nature, severity, and/or duration of the employee's disability/impairment.
 - The functions that the disability/impairment limits.
 - To what extent the disability/impairment limits the employee's ability to perform their duties.
 - Why the individual may require the reasonable accommodation requested and how the RA will assist the individual to apply for a job, perform their job duties, or enjoy any benefit or activity in the workplace.
- c. If the medical documentation submitted by the employee does not clearly explain the nature of the disability/impairment, the need for a reasonable accommodation, or does not clearly identify how the reasonable accommodation requested will aid the employee to perform job duties and essential functions of the job, EXP may require the employee to provide supplemental medical documentation.
- d. EXP may choose to hire a medical expert, at the agency's expense, to review the employee's medical documents.
- e. If the submitted supplemental medical documentation proves to be insufficient when making a determination that said disability/impairment does require a reasonable accommodation (RA), it is the responsibility of the HR Director/EEO Officer to explain to the employee that the medical documentation provided is insufficient, explain exactly what information is needed, and allow the employee to deliver said information. If the employee does not provide the information or is unable to provide the information, the employee may be disqualified, and the request may be closed. However, the employee may also request additional services at any time by contacting the HR Director/EEO Officer.

- f. EXP may not request medical information where the impairment/disability and the need for a reasonable accommodation (RA) are obvious or if the employee has successfully provided EXP with sufficient information that documents the disability/impairment and their limitations.
- g. Evaluation of and Eligibility Determination for Reasonable Accommodation
 - 1. EXP HR Director/EEO Officer shall review all documentation and make the eligibility determination.
 - 2. If an employee is determined to be ineligible for an RA as defined by the ADA, the employee shall be notified in writing.
 - 3. All medical documentation of any/all employees provided for purposes of ADA consideration is kept confidential in the HR Director/EEO Officer's office under lock and key. This documentation is kept separate from their employee personnel files. Any medical documentation/information will only be shared with appropriate parties as described under Title I of the American with Disabilities Act (ADA).
- h. Eligible Determination
 - 1. The EXP Human Resources/EEO Officer will conduct an initial interactive meeting with the employee, the employee's direct supervisor, and the director of their department to discuss RA options.
 - 2. Should technical assistance or IT assistance be required, professionals may be consulted to aid in the decision-making process of what technology will be conducive for the RA.
 - 3. EXP Finance Manager may be consulted to determine if the RA is feasible for the agency.
 - 4. OCB (Office of Collective Bargaining) may be consulted to ensure that the RA does not violate any applicable collective bargaining agreements.
 - 5. Consideration will be given to the employee's preference of potential RA, but (by ADA requirements) EXP is not required to provide the employee's preference of RA if another RA can be provided that will allow the employee to effectively perform the essential duties of the job.
 - 6. EXP will notify the employee of the RA that has been identified. If the employee accepts the determination, the RA shall be implemented. The HR Director/EEO Officer will notify the employee with a written notice of approval as well as the employee's supervisor and department director.
 - 7. If the employee refuses an approved RA and, as a result, cannot perform the essential job duties, the employee may be considered not qualified for the position.
 - 8. If the RA cannot be implemented due to the reasons listed below, the employee will be

notified in writing. Criteria may include, but is not limited to:

- i. an RA cannot be identified;
- ii. the employee refuses to accept the one offered by EXP;
- iii. the requested RA presents an undue hardship to the agency.

9. Evaluation of Implementation of Reasonable Accommodation

- a. The employee and their supervisor will collectively evaluate the effectiveness of the RA with the employee's performance of essential job duties.
- b. If the RA is determined to be successful, the RA request will be closed.
- c. If the RA is determined to be unsuccessful, the HR Director/EEO Officer will work with the employee, reevaluate, and search for suitable RA options.
- d. If the employee's condition/limitation changes and affects the RA request or RA in place, the employee is to notify EXP HR Director/EEO Officer to assure that all RA requests are addressed timely and appropriately.

10. If no reasonable accommodation will allow the employee to perform their essential job duties, the agency may consider lateral transfers within the state, or demotions, in accordance with the provision of any applicable collective bargaining agreement (eg. OCSEA). If no such positions exist or there are no open positions, the employee may be referred for disability separation pursuant to OAC 123:1-33.

11. No employee shall face retaliation for requesting reasonable accommodation (RA).

12. The ADA requirements for reasonable accommodation (RA) shall not prevent an employer from providing accommodation beyond what is required by the ADA at the employer's election. For example, while not all medical conditions are not covered by the ADA, EXP HR Director/EEO Officer shall work with the requesting employee's supervisor and department director to research and experiment with short term solutions for some medical conditions.

13. EXP will conduct a self-evaluation, pursuant to Title II of the American with Disabilities Act (ADA), to gauge our facilities, services, activities, policies, and practices and identify and correct any barriers for all people with disabilities/impairments.

DISCRIMINATION GRIEVANCE RIGHTS

- a. If an employee or applicant believes that they have been discriminated against because of a disability, they have the right to file a complaint with the EXP HR EEO Officer and/or the Ohio Department of Administrative Services, Office of Opportunities and Accessibility (DAS/O&A). The employee or applicant has 30 days to file with either.

- b. If the employee believes that they have been discriminated against because of a disability, they have the right to file a complaint with the Ohio Civil Rights Commission (OCRC) or the federal Equal Employment Opportunity Commission (EEOC). An employee has two (2) years to file a claim alleging discrimination with the OCRC and 300 days to file with the EEOC.
- c. Refer to the Ohio Expositions Commission Anti-Discrimination and Anti-Harassment Policy located in the Ohio Expositions Commission Employee manual for additional guidance.

TRAINING

- a. All newly hired EXP employees MUST complete Disability Etiquette and Awareness training in the Ohio Learn module within 30 days of their start date.
- b. All EXP department supervisors are required to ensure that all their designated staff review and acknowledge the EXP ADA policy on an annual basis.
- c. EXP HR department will ensure that all employees participate in annual disability etiquette and ADA training throughout their employment with the Ohio Expositions Commission.

DEFINITIONS

Accessibility – Compliance with access guidelines required under the ADA and any other applicable federal or state law, including executive orders.

Direct Threat – When there is significant risk of substantial harm to the health or safety of the individual employee with a disability or others.

Disability – A physical or mental impairment that substantially limits one or more of the major life activities that include but are not limited to walking, breathing, seeing, hearing, etc.

Essential Duties – Those job duties that are so fundamental to the position that the individual holds or desires that he or she cannot do the job without performing them. A function may be essential if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized, and the individual is hired based upon his or her ability to perform it.

Interactive Process – The Interactive Process is used to determine whether an effective and reasonable accommodation is available for an employee or applicant under the ADA. The Interactive Process is required and simply means the employee or applicant with a disability and the employer work together to develop and discuss accommodations.

Qualified Individual with a Disability – An individual with a disability, who has the necessary skill, experience, education, and other job-related requirements of the employment position that the individual holds or desires, and with or without reasonable accommodation, can perform the essential functions of such position.

Reasonable Accommodation – Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process or perform the essential functions of their position. There are three categories of "reasonable accommodations": a. modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or b. modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or c. modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

Site Manager – Director (or designee) for Central Office, Superintendent for Institutions, or Regional Administrator for Regional Offices.

Undue Hardship –Undue hardship exists if an accommodation would be unduly costly, extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of the business.

AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5139.01, which delegates to the Executive Director of the Ohio Expositions Commission the authority to adopt rules for the governance of the agency (EXP), the conduct of its commissioners and employees, the performance of its business, and the custody, use, and preservation of the department's records, papers, books, documents, and property.

RESOURCES

Document Name	Location
State of Ohio Administrative Policy HR-14 Anti-Discrimination and Anti-Harassment Policy and Reporting Procedures	https://ohioexpocenter.s3.us-east-2.amazonaws.com/policies/antidisc_harassment.pdf
Know Your Rights Poster	https://ohioexpocenter.s3.us-east-2.amazonaws.com/policies/disability_inclusion_poster.pdf
Reasonable Accommodation Request Form	Attached
Certification of Health Care Provider for Reasonable Accommodation Form	Attached

**CERTIFICATION OF HEALTH CARE PROVIDER
FOR REASONABLE ACCOMMODATION**

Patient's Name: _____

Date Condition Commenced: _____

Probable Duration of Condition: _____

This certification will be used for the purpose of assessing whether your patient has a disability that would benefit from a reasonable accommodation within the workplace. Please base your assessment on your patient's present abilities or limitations in performing the essential functions of his/her current position as described to you.

1. Does your patient have a disability?¹ Yes No

2. If you answered "yes" to question #1, is your patient able to perform each of the essential job functions described **without** reasonable accommodation(s)? Yes No

3. If you answered "no" to question #2, would your patient be able to perform each of the essential job functions described **with** reasonable accommodation(s)? Yes No

4. If you answered "yes" to question #3, please provide the following information: a) state which essential function(s) of the job require an accommodation; b) for each such essential function, any recommendations you have for reasonable accommodation(s). If there is more than one recommended accommodation, please describe all possible accommodations; c) explain why the disability requires this accommodation to allow the employee to perform the essential function(s).

¹ A disability is a condition that imposes a substantial limitation on a major life activity. By way of example, "major life activities" include, but are not limited to, standing, sitting, walking, lifting, talking, interacting with others, eating, breathing, hearing, seeing, speaking, working and learning.

Disability also means a physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques.

Patient/Employee's Name: _____

Print or type clearly the name and address of the Health Care Provider completing this form:

Name: _____

Address: _____

Telephone: _____

Facsimile: _____

E-mail Address: _____

Signature of Health Care Provider

Date

THIS FORM SHOULD BE RETURNED DIRECTLY TO THE OHIO EXPOSITIONS COMMISSION AT 717 E. 17TH AVE., COLUMBUS, OHIO 43211, FAX NUMBER: 614-644-4031, ATTENTION: JO ELLEN ALBANESE, HUMAN RESOURCES DIRECTOR/EEO OFFICER. THIS FORM SHOULD NOT BE PROVIDED TO THE EMPLOYEE'S MANAGER OR TO ANYONE ELSE AT THE EMPLOYEE'S LOCATION OTHER THAN THE HR DIRECTOR/EEO OFFICER.



Expo Center & State Fairgrounds

TITLE II STAND-ALONE POLICY FOR OHIO EXPOSITIONS COMMISSION

Purpose

To establish standards and guidelines for those seeking and obtaining reasonable accommodations to obtain employment and/or gain public access. These guidelines are to ensure all are afforded equal employment opportunities and equal access for Americans with disabilities when applying for employment and public access at the Ohio Expositions Commission (EXP).

Applicability

This policy applies to persons employed by the Ohio Expositions Commission (EXP), EXP applicants, contractors, volunteers, and individuals desiring to gain public access for EXP meetings, trainings, hosted events, etc.

ADA Title II-State and Local Governments

Title II of the ADA protects qualified individuals with disabilities and requires state/local governments to give people with disabilities an equal opportunity to benefit from each of their programs, services, and activities.

Accessibility

EXP will endeavor to ensure accessibility for all employees, individuals seeking employment, customers, clients, and patrons in accordance with applicable ADA standards and HR-54. Ensuring accessibility includes, but is not limited to, the following:

- a. Physical space, all agency-specific employment forms, and information, including internal and external facing websites, are accessible and/or available in alternative formats.
- b. Any agency-sponsored meeting and/or event, including interviews for employment, are held in an accessible location for all participants to include virtual meetings.
- c. Notices for Agency Sponsored meetings, events, and training open to the public will include instructions on how and to whom to request reasonable accommodation.

Reasonable Accommodation

A qualified individual with a disability seeking modifications to policies, procedures, or facilities for equal opportunity to enjoy (agency's) programs, services and activities should contact the ADA Coordinator, Jo Ellen Albanese, 614-644-4015 or j.albanese@expo.ohio.gov. Such requests should include the specific program, service, or facility that the individual is unable to access, and the accommodation(s) requested.

A qualified individual with a speech, hearing or vision impairment may request an accommodation to the ADA Coordinator, Jo Ellen Albanese, 614-644-4015 or j.albanese@expo.ohio.gov, and shall be furnished with appropriate auxiliary aids and services so that the individual can participate equally in EXP programs, services, and activities. Such auxiliary aids may include qualified sign language interpreters, documents in Braille and other ways of making information and communication accessible. To obtain auxiliary aids or services contact the ADA Coordinator, Jo Ellen Albanese, 614-644-4015 or j.albanese@expo.ohio.gov, as soon as possible but no later than fourteen (14) calendar days before the scheduled event.

EXP will provide qualified individuals with disabilities reasonable accommodations upon request unless:

- a. The Requestor is not a qualified individual.
- b. Accommodating would fundamentally alter the nature of the agency's service, program, or activity (undue burden).
- c. Providing accommodation poses a direct threat to the health or safety of the individual with a disability or others.

Self-Evaluation

EXP will conduct a self-evaluation, per Title II of the ADA, to assess our services, policies, practices, and facilities to identify and correct any barriers for people with disabilities.

ADA Title II Grievance Process

a. Internal

Any customer, patron/client, guest, or visitor who believes they have been discriminated against, harassed, or retaliated against based on disability has a right to file a Grievance/Complaint. A grievance can also be filed to report an allegation that a service, program, or activity is not equally accessible to people with disabilities. The grievance should contain information about the alleged discrimination. Per Title II of the ADA, EXP has established a Grievance process to encourage prompt and equitable resolution of the reported issue at the agency level. The grievance should be submitted in writing to the ADA Coordinator, Jo Ellen Albanese, j.albanese@expo.ohio.gov or 717 E. 17th Ave., Col., OH 43211, by the grievant and/or his/her designee as soon as possible but no later than 30 calendar days after the alleged violation. [Title II Grievance Form](#)

b. External

In the alternative, a customer or client may file an external complaint by contacting: U.S. Department of Justice- Civil Rights Division - Disability Rights Section Website: ada.gov/complaint 800-514-0301 (voice) or 800-514-0383 (TTY)

Employment

ADA provisions and policy for employees and individuals with disabilities seeking employment can be obtained via the agency ADA Title I Policy provided in the [online employee manual for the Ohio Expo Center](#) as well as at the Ohio Expo Center website. Additionally, all employees will receive a paper copy of the [policy](#) during on-boarding as well as when inquiries are made to the policy.

Public Notice

This policy and the Disability Inclusion Poster will be available on EXP's public website, and notice will be posted in EXP facility for public access.

Definitions

- a. Accessibility – Compliance with access guidelines required under the ADA and any other applicable federal or state law, including executive orders.
- b. Direct Threat – When there is significant risk of substantial harm to the health or safety of the individual employee with a disability or others.
- c. Disability – A physical or mental impairment that substantially limits one or more of the major life activities that include but are not limited to walking, breathing, seeing, hearing, etc.
- d. Essential Duties – Those job duties that are so fundamental to the position that the individual holds or desires that he or she cannot do the job without performing them. A function may be essential if, among other things, the position exists specifically to perform that function; there are a limited number of other employees who could perform the function; or the function is specialized, and the individual is hired based upon his or her ability to perform it.
- e. Interactive Process – The Interactive Process is used to determine whether an effective and reasonable accommodation is available for an employee or applicant under the ADA. The Interactive Process is required and simply means the employee or applicant with a disability and the employer work together to develop and discuss accommodations.

- f. Qualified Individual with a Disability – an individual with a disability that meets the essential eligibility requirements for the receipt of services or participation in programs, services, or activities of an agency.
- g. Reasonable Accommodation – Any change or adjustment to a job or work environment that permits a qualified applicant or employee with a disability to participate in the job application process or perform the essential functions of their position. There are three categories of "reasonable accommodations": a. modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such qualified applicant desires; or b. modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or c. modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
- h. Reasonable Modification – Modification of policies, practices, and procedures when necessary to assure a person with a disability an equal opportunity, unless to do so would fundamentally alter the nature of the service, program, or activity.
- i. Site Manager – Director (or designee) for Central Office, Superintendent for Institutions, or Regional Administrator for Regional Offices.
- j. Undue Burden – Is a significant difficulty or expense imposed on (agency) if carried out. This means that (agency) does not have to provide an auxiliary aid or service, or a modification, if providing it would cause a significant administrative or financial burden or difficulty.
- k. Undue Hardship – Undue hardship exists if an accommodation would be unduly costly, extensive, substantial, or disruptive, or would fundamentally alter the nature or operation of the business.

Authority

This policy is issued in compliance with Ohio Revised Code 5139.01, which delegates to the Executive Director of the Ohio Expositions Commission the authority to adopt rules for the governance of the agency (EXP), the conduct of its commissioners and employees, the performance of its business, and the custody, use, and preservation of the department's records, papers, books, documents, and property.

Suggested Links

- HR 54 [HR-54](#)
- Agency EEO Policy [EXP EEO](#)
- Title II Grievance Form [Grievance Form](#)
- ODI DI Poster [ODI Poster](#)
- Link Title I ADA Policy



Date: July 1, 2021

Updated: January 1, 2025

MEMORANDUM

TO: ALL EMPLOYEES

FROM: ADAM HEFFRON, EXECUTIVE DIRECTOR

SUBJECT: ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

It is the policy of the Ohio Expositions Commission (OEC) to prohibit discrimination and harassment of applicants and employees, due to race, color, religion, gender, national origin (ancestry), military status (past, present or future), disability, age (40 years or older), genetic information or sexual orientation. Harassment will not be tolerated in the Ohio Expositions Commission's workplace.

It is the policy of OEC to maintain a working environment free from any discrimination, and to prohibit harassment of its employees and applicants, including sexual harassment. Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a superior, subordinate or peer. Any employee or applicant who believes that she or he has been subject to sexual harassment should advise the offending individual that the action is not welcome and must stop. The aggrieved individual must then report such incident(s) to either her or his supervisor, the agency's EEO and Diversity Manager, HR Administrator or the Equal Opportunity Division.

Any managerial or supervisory employee who receives a report of discrimination or harassment must either

1) request a written statement from the victim; or 2) confirm the substance of such statement in writing and document the date the report was received. Regardless of whether a written report is



received from the alleged victim, managers and/or supervisors must immediately report such complaints to the EEO and Diversity Manager or the HR Administrator. Such reports cannot be kept strictly confidential, however, information concerning allegations shall be managed discretely and communicated to others only as is necessary to investigate and take appropriate disciplinary action. There shall be no retaliation against an employee for reporting allegations of discrimination or harassment or other inappropriate behavior. Retaliatory actions will also be subject to investigation and possible discipline.

INTERNAL RESOLUTION OF A CLAIM

All allegations of discrimination or harassment must be reviewed. The OEC's internal policy requires that complaints made to the EEO and Diversity Manager or to the HR Administrator will be reviewed for timeliness. Formal complaints must be filed within 30 days of the most recent incident of alleged discrimination or harassment. When appropriate, all efforts will be made to seek an internal resolution of claims. Such complaints will be investigated promptly and thoroughly. A rapid determination will be made of what, if any, corrective action is warranted by possible violations of the Anti-Discriminatory and Anti- Harassment Policy. The decision to pursue a remedy utilizing the agency's internal complaint process will be made in conjunction with the individual filing the allegations. All allegations of discrimination and harassment will be investigated regardless of timeliness. Incident reports by managers and supervisors should be made immediately.

FILING A FORMAL COMPLAINT

Formal complaints may be filed with any or all of the following enforcement agencies:

- (1) Department of Administrative Services' Equal Opportunity Division within 30 days of the most recent incident of alleged discrimination or harassment
- (2) Ohio Civil Rights Commission within six months; and/or
- (3) Federal Equal Employment Opportunity Commission within 300 days

The EEO and Diversity Manager shall then conduct a formal investigation of the complaint. Within sixty (60) days from the filing of this complaint, the agency shall render a decision of whether there was probable cause and the appropriate remedy, if a remedy is required. The investigation time may be continued, depending on extenuating circumstances.

If the complainant is not satisfied with the agency's decision and/or resolution she or he may request a hearing through the Ohio Department of Administrative Services' Equal Opportunity Division. The Equal Opportunity Division will select a hearing officer to preside over and render a decision on the case. The agency shall have thirty (30) days to act on the decision of the hearing officer, if any action is required. The complainant may request a final review and decision from the State Equal Opportunity Coordinator if he/she is not satisfied with the decision of the hearing officer.

ENFORCEMENT

Discrimination and harassment will not be tolerated. Such conduct is subject to discipline, up to and including termination. Supervisory employees are advised that they may be subject to personal liability for acts of discrimination and harassment and may be responsible for their own legal defense.

Harassment, discrimination and related behavior in the workplace are inappropriate, and will not be tolerated. This policy supports the objectives and practices of the State of Ohio and is in conjunction with applicable Federal and State laws and regulations as well as Executive Order 99-25T. This policy will be disseminated to all employees annually and will be included in employee orientation materials.

Any employee or applicant for employment with the Ohio Expositions Commission who believes she/he has been a victim of harassing or discriminatory conduct, or who has questions concerning this policy should contact:

Jo Ellen Albanese, HR Director, EEO, and Diversity, Equity & Inclusion Manager

Ohio Expositions Commission

717 E. 17th Avenue

Columbus, Ohio 43211

(614) 644-4015



Date: August 1, 2021

Updated: January 1, 2025

MEMORANDUM

TO: ALL EMPLOYEES

FROM: ADAM HEFFRON, EXECUTIVE DIRECTOR

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of this agency to ensure equal employment opportunity in accordance with all applicable federal and state laws, rules, regulations, and guidelines. Discrimination against employees and applicants due to race, color, religion, gender, national origin (ancestry), military status (past, present or future), disability, age (40 years of age or older), genetic information or sexual orientation) is illegal.

We have developed an Equal Employment Opportunity Plan in order to correct any existing problem areas and to improve our Equal Employment Opportunity program. Dissemination of this policy statement to employees as well as recruitment sources and displaying posters from the Ohio Civil Rights Commission and the Equal Employment Opportunity Commission are two methods of publicizing our commitment to equal employment opportunity.

Persons who believe that this agency has discriminated against them in employment may file a discrimination complaint. We shall then make every effort to resolve complaints within the time frames established by the Administrative Rules.

All personnel of this agency are asked to assist in an effort to achieve equal employment opportunity. Any willful or deliberate violation of this policy by an employee of this agency will be cause for disciplinary action.

The EEO Office has full authority for the administration of the program. If you would like more information, please contact:

Jo Ellen Albanese, Director of Human Resources & EEO Coordinator
Ohio Expositions Commission
717 E. 17th Avenue
Columbus, Ohio 43211
(614) 644-4015



OHIO EXPOSITIONS COMMISSION
EQUAL EMPLOYMENT OPPORTUNITY, ANTI-DISCRIMINATION, HARASSMENT AND
RETALIATION, AND REPORTING POLICY

Purpose

The State of Ohio is a diverse, inclusive and equal opportunity employer. The purpose of this policy is to emphasize that discrimination, harassment, and/or retaliation will not be tolerated in the workplace and to establish procedures for state employees and applicants for state employment to report claims of discrimination, harassment and retaliation.

This policy aligns with State of Ohio Administrative Policy, HR-14 Anti-Discrimination and Anti-Harassment (previously HR-D-14), incorporating Governor DeWine's Executive Order 2019-0SD, Anti-Discrimination Policy in State Government.

This policy is not intended to be a complete statement of federal and/or state law, or an employee's rights regarding discrimination, harassment, and retaliation. As always, an employee should seek the counsel of an attorney for questions regarding the law and the rights thereby accorded. Bargaining unit employees may also be represented by their unions.

Policy

It is the policy of the Ohio Expositions Commission ("OEC") to maintain a working environment free from discrimination, harassment and retaliation.

The Ohio Expositions Commission prohibits discrimination and harassment of applicants and employees due to race, color, religion, gender/sex, gender identity or expression, national origin (ancestry), military status, disability, age (40 years of age or older), genetic information, sexual orientation; status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, or status as a foster parent as those terms are defined in applicable Ohio law, federal law and any effective Executive Order, in making any employment-related decisions including, but not limited to hiring, layoff,

transfer, termination, promotion, demotion, discipline, rate of compensation, eligibility for in-service training programs, or terms and conditions of employment.

Moreover, the OEC may not retaliate against anyone who exercises a protected right under equal employment opportunity (EEO) laws, including, but not limited to, making a complaint or participating in an investigation.

A. Methods and Timelines for Reporting:

An employee or applicant for state employment who believes they have experienced harassment, discrimination, or retaliation may report the incident to their manager, Human Resource

Department, EEO Officer, or to the Ohio Department of Administrative Services, Equal Opportunity Division (EOD). At the Ohio Expositions Commission, contact Jo Ellen Albanese, H.R. Director and EEO Officer at 614-644-4015 or j.albanese@expo.ohio.gov

An employee or applicant for state employment may also file a complaint with one or all of the following:

Complaints regarding State of Ohio EEO policy may be filed with:

- Ohio Department of Administrative Services, Equal Opportunity Division (EOD): Filing with EOD can be done through the Agency EEO Officer or directly by calling (614) 446-8380, or visiting www.das.ohio.gov/Divisions/EqualOpportunity. This filing must occur no later than thirty (30) days from the date of the last alleged discriminatory incident.

Complaints regarding EEO law:

- Ohio Civil Rights Commission (OCRC): Filing with OCRC can be done by calling (614) 466-7742, by visiting www.crc.ohio.gov, or by mail to 30 East Broad Street, Fifth

floor, Columbus, Ohio 43215 or a regional office. This filing must occur no later than six (6) months from the date of the last alleged discriminatory incident.

- Federal Equal Employment Opportunity Commission (EEOC): Filing with the EEOC can be done by calling (800) 669-4000, visiting www.eeoc.gov, or by mail to: 1240 E. 9th Street, Suite 3001, Cleveland, Ohio 44199. This filing must occur no later than three hundred (300) days from the date of the last alleged discriminatory incident.

B. Responsibility:

Manager/Supervisor: A manager or supervisor who receives a report of discrimination, harassment, or retaliation must immediately report the complaint to the Agency EEO Officer. While the report cannot be kept strictly confidential, the information reported shall only be communicated as necessary to investigate and take appropriate action.

Employees: Employees shall assist in the Agency's effort to achieve equal employment opportunity and to maintain a harassment and discrimination free environment. Any employee who believes that they have been subject to harassment is encouraged to inform the potential harasser that their conduct is unwelcome, directly or indirectly, as soon as practical and safe:

Agency EEO Officer: The Agency EEO Officer will conduct a prompt, thorough and objective investigation, including interviews of witnesses and formal written reports or findings. While the information obtained cannot be kept strictly confidential, the information reported shall only be communicated as necessary to investigate and take appropriate action. The Ohio Expositions Commission EEO Officer is Jo Ellen Albanese.

The Agency: The Agency will promote equal employment opportunity and maintain a harassment and discrimination free environment. The Agency is required to adopt an internal policy and procedures outlining a process for reporting and resolving claims of EEO violations.

- C. Enforcement:** Discrimination, harassment, and retaliation will not be tolerated. Such conduct is subject to discipline, up to and including termination.

Supervisory employees are advised that they may be subject to personal liability for acts of discrimination, harassment, and/or retaliation and may be responsible for providing their own legal defense.

This policy will be disseminated to all employees annually and included in all new hire orientation materials and the employee handbook.

Authority

ORC 124.04, Chapter 4112; OAC 123:1-49; DAS HR-D-14; Executive Order 2019-0SD

This policy supersedes any previously issued directive or policy and will remain effective until canceled or superseded.

Direct inquiries about this policy to:

Jo Ellen Albanese, EEO Officer

614-644-4015

j.albanese@expo.ohio.gov

Equal Opportunity Division

Ohio Department of Administrative Services

4200 Surface Road

Columbus, OH 43228

614-466-8380

OandA@das.ohio.gov

Definitions

Discrimination - Discrimination occurs when an adverse employment action is taken based on the employee or applicant's status as a member of a protected class. There are two forms of discrimination:

1. Disparate Treatment - Disparate treatment occurs when an employer intentionally treats an employee differently because of their protected class.
2. Disparate Impact- Disparate impact occurs when an employment policy, although neutral on its face, adversely impacts persons in a protected class.

Harassment- Unwelcome conduct based on a protected class, such as race, sex, religion, etc. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive. Harassment can be verbal and/or physical and can include name calling, slurs, jokes, gestures, leering, stalking, grabbing, and/or assault.

This is not an exhaustive list of all harassing behaviors.

Retaliation - The act of punishing an employee or applicant for asserting their rights under EEO laws to be free from employment discrimination, including harassment. This includes retaliation against an individual who requested an accommodation; filed, testified, or participated in a discrimination investigation, proceeding, or lawsuit; or opposed employment practices that they reasonable believed discriminate against individuals. A claim of retaliation is based on objective and non-discriminatory criteria.



State Employees and State Job Applicants

Know Your Rights

State of Ohio Employees and Applicants are Guaranteed:

- **FREEDOM** from discrimination, harassment or retaliation at any stage of the employment process.
- **EQUAL ACCESS** to programs and services offered, seeking employment and employment opportunities.
- The right to **FILE A COMPLAINT** if you experience discrimination, harassment or retaliation.

The Office of Opportunity and Accessibility ensures employees and applicants receive equal, accessible and inclusive treatment in state employment. The State of Ohio is a disability inclusion state and model employer of individuals with disabilities.

State of Ohio Equal Employment Opportunity Policy:

The State of Ohio is an equal opportunity employer that promotes diversity, inclusion and workplaces free from discrimination, harassment, or retaliation due to:

- Race
- Color
- Religion
- Sex/gender
- National origin (ancestry)
- Disability
- Age (40 years of age or older)
- Genetic information
- Sexual orientation
- Military status (past, present, and future)
- Gender identity or expression
- Parental status as a parent during pregnancy and immediately after the birth of a young child (under age 9)
- Parental status as a parent of a young child
- Parental status as a foster parent
- Parental status as a nursing mother



**Department of
Administrative
Services**

Ohio Department of Administrative Services
Mike DeWine, Governor
Kathleen C. Madden, Director

**Office of Opportunity and Accessibility State
Human Resources Division**
30 E. Broad Street, 40th Floor
Columbus, OH 43215
614-466-8857 or 800-409-1205
For EEO inquiries: OandA@das.ohio.gov
For ADA inquiries: ODI@das.ohio.gov

das.ohio.gov/inclusion

What is Employment Discrimination?

Discrimination occurs when an employment action is taken based on your status as a member of a protected class.

There are two forms of discrimination:

- Disparate Treatment – an employer intentionally treats you differently because of your protected class.
- Disparate Impact – an employment policy that, though neutral on its face, unfairly impacts a protected class.

What is an “Employment Action”?

Employers cannot make decisions based on your status as a member of a protected class. Such employment actions could include decisions related to your hiring, layoff, transfer, termination, promotion, demotion, discipline, rate of pay, eligibility for in-service training programs or the terms and conditions of employment.

What is Harassment?

Harassment is unwelcome conduct based on a protected class, such as race, sex or religion. This behavior is against state EEO policy when you are expected to endure it as a condition of employment (quid pro quo), or it creates an intimidating, hostile or abusive work environment. Harassing behavior can be verbal or physical and could include name calling, slurs, jokes, gestures, leering, stalking, unwanted physical contact or assault.

What is Retaliation?

You cannot be punished for asserting your right to freedom from employment discrimination or harassment under EEO laws or policy. This includes retaliation for requesting an accommodation; filing, testifying or participating in a discrimination investigation, proceeding or lawsuit; or opposing discriminatory employment practices.

What are my Rights Under ADA?

Discrimination cannot occur on the basis of disability in state programs, services, activities and employment practices. If you need a reasonable accommodation to perform the essential functions of your job, at any point in the employment process, or to participate in our programs, services or activities, contact your agency ADA Coordinator as soon as possible, preferably at least 21 days before the activity or event.

What Do I Need to Know as a Manager or Supervisor?

As a manager or supervisor, you may be subject to personal liability for acts of discrimination, harassment or retaliation that occur under your authority and may be responsible for providing your own legal defense.

What are the Consequences?

Discrimination, harassment and retaliation will not be tolerated and could result in discipline or termination.

Where Can I Go for Guidance or to Report an Incident?

Contact your agency EEO Officer, ADA Coordinator, HR representative, supervisor or the Office of Opportunity and Accessibility with questions about State EEO policy or to report an incident.

Where Do I File a Formal Complaint?

Complaints regarding State of Ohio EEO policy and discrimination complaints under the state ADA policy may be filed with:

**Department of Administrative Services,
Office of Opportunity and Accessibility**
File within 30 days of the incident
das.ohio.gov/inclusion
614-466-8857

Complaints regarding EEO law:

Ohio Civil Rights Commission
File within two years of the incident
civ.ohio.gov
614-466-2785 or 1-888-278-7101

**U.S. Equal Employment Opportunity
Commission**
File within 300 days of the incident
eeoc.gov
800-669-4000

Because the State of Ohio embraces diversity and inclusion, state EEO policy protects more statuses than legally required. Note that the state’s status protections differ from those of the Ohio Civil Rights Commission (OCRC) and U.S. Equal Employment Opportunity Commission (EEOC).

For example:

- The OCRC does not consider genetic information or parental status protected classes.
- The EEOC does not consider military or parental status protected classes.

Agency Contact(s):

Name:

Title:

Email:

Name:

Title:

Email:

Name:

Title:

Email:



STATE OF OHIO POLICY AGAINST SEXUAL HARASSMENT

It is the policy of the State of Ohio to maintain a working environment free from any discrimination, and to prohibit sexual harassment among its employees, including discriminatory sexual advances or harassment adversely affecting an employee's terms and conditions of employment either directly or indirectly.

Sexual harassment is defined as any unwelcome or unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any one of the following criteria is met:

1. Submission to such conduct is made either explicitly or implicitly as a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment depends on how the person being harassed is affected, not on the harasser's intent. It can come from any individual in the workplace, including a supervisor, a coworker, a customer or a supplier. Sexual harassment can also take place in many forms. It may be:

1. Verbal (i.e., threats, insults, offensive or suggestive comments);
2. Non-verbal (i.e., suggestive gestures or looks, staring or leering); or
3. Physical (i.e., rape or attempted rape, cornering, or trapping, pinching, grabbing or patting, touching, hugging or kissing).

Sexual harassment is prohibited by Federal law as a form of sex discrimination in the workplace in 42 U.S.C. § 2000e-2a. The Federal Equal Employment Opportunity Commission (EEOC) has also issued authoritative guidelines on sexual harassment under Title VII of the Civil Rights Act of 1964, as amended.

Any employee or applicant who believes he/she is a victim of sexual harassment through unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature by a superior, subordinate, or peer, should immediately report such incident(s) to either the agency EEO Officer or the Department of Administrative Services, Equal Opportunity Division. The EEO Officer will provide CONFIDENTIAL counseling in order for the aggrieved individual to explain the matter and to determine whether a formal complaint should be filed.

A sexual harassment complaint shall be filed with any or all of the following entities:

1. The Department of Administrative Services, Equal Opportunity Division or the agency EEO Officer within thirty (30) days;
2. The Ohio Civil Rights Commission within six months (180 days); and/or
3. The Federal Equal Employment Opportunity Commission within three hundred (300) days.

In the event the aggrieved individual opts to file a formal written complaint within the jurisdiction of the State of Ohio, the complaint shall be filed with the agency EEO Officer or with the Department of Administrative Services, Equal Opportunity Division within thirty (30) days of the most recent incident of sexual harassment. The EEO Office of the appropriate agency shall then conduct a formal investigation of the complaint. Within sixty (60) days from the filing of this complaint, the agency shall render a decision of whether there was probable cause and the appropriate remedy, if a remedy is required.

The complainant may request a hearing through the Department of Administrative Services, Equal Opportunity Division if he/she is not satisfied with the agency's decision and/or resolution. The Equal Opportunity Division will select a hearing officer to preside over and render a decision on the case. The agency shall have thirty (30) days to act on the decision of the hearing officer, if any action is required. The complainant may request a final review and decision from the Equal Opportunity Division Coordinator if he/she is not satisfied with the decision of the hearing officer.

Sexual harassment and related behavior in the workplace is inexcusably inappropriate, and will not be tolerated. This policy is consistent with the objectives and practices of the State of Ohio and is in conjunction with applicable Federal and State laws and regulations and Executive Orders. This policy will be observed and adhered to by all State of Ohio departments and agencies.

Any employee or applicant for employment with the State of Ohio who believes he/she has been sexually harassed, or who has questions concerning this policy should contact:

Department of Administrative Services
Equal Opportunity Division
4200 Surface Rd.
Columbus, Ohio 43228
Phone: 614-466-8380
Fax: 614-728-5628
Email: OandA@das.ohio.gov

State of Ohio
Family and Medical Leave (FMLA) Policy

BASIC LEAVE ENTITLEMENT

The Family and Medical Leave Act (FMLA) allows an eligible state employee to take up to twelve workweeks of leave per rolling twelve-month period for the following qualifying events:

- Incapacity due to pregnancy, prenatal medical care or child birth;
- Caring for the employee's child after birth, or placement for adoption or foster care;
- Caring for the employee's spouse, child, or parent with a serious health condition; or
- The serious health condition of the employee that makes the employee unable to perform the employee's job.

QUALIFYING EXIGENCY LEAVE ENTITLEMENTS

Eligible employees with a spouse, child, or parent on federal active duty or call to federal active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies include activities related to short-notice deployment, attending military events, arranging for alternative childcare or attending school activities, addressing financial and legal arrangements, attending counseling sessions, attending post-deployment reintegration briefings, and spending time with a covered military member who is on rest and recuperation leave.

MILITARY CAREGIVER LEAVE ENTITLEMENTS

Employees may also be eligible to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period.

“Covered servicemember” refers to an employee’s spouse, child, parent or next of kin, who is a current member of the Armed Forces, including a member of the National Guard or Reserves, who incurred a serious injury or illness in the line of active duty that renders the servicemember medically unfit to perform his or her duties and for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is in on the temporary retired list.

“Next of kin” has the same definition as set forth in 29 CFR 825.127(b)(3).

The 26 weeks of leave is to be applied on a per-covered-servicemember, per-injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than 26 workweeks of leave may be taken within any “single 12-month period.”

The “single 12-month period” begins on the first day the employee takes leave to care for the covered servicemember and ends 12 months after that date. An employee who is entitled to take leave due to a different FMLA-qualifying reason make take leave during the same single 12-month period in which leave is taken to care for a covered servicemember, but the total leave taken for any purpose during the single 12-month period may not exceed 26 workweeks overall.

EMPLOYEE ELIGIBILITY

Employees are eligible if they meet both of the following criteria:

- 1) They have been employed by the state for at least twelve months and,
- 2) They have actually worked (i.e., in "active work status") at least 1,250 hours during the past twelve months.

Previous employment with the state in which the employee was paid directly by warrant of the director of budget and management shall count toward meeting the twelve-month employment requirement.

"Active work status" includes overtime hours worked and is defined as "the conditions under which an employee is actually in a work status and is eligible to receive pay, but does not include vacation pay, sick leave, bereavement leave, compensatory time, holidays, personal leave, and disability leave." (AC 123:1-47-01 (A)(3)).

For purposes of determining FMLA eligibility, the Uniformed Services Employment and Reemployment Rights Act (USERRA) requires that a person reemployed under its provisions be given credit for any time he or she would have been employed *but for* the military service. Each month served performing military service counts as a month actively employed by the employer. The employee's pre-service work schedule can generally be used to determine the number of hours that would have been worked during the period of military service.

Eligible employees are entitled to the full amount of FMLA leave even if their spouse has already exhausted leave for a qualifying event.

Agencies must notify employees in writing of their eligibility or non-eligibility status within five business days after the first time an employee requests leave for a particular qualifying reason in a rolling 12-month period or within five days after an employer receives knowledge that the reason for an employee's leave may be FMLA-qualifying. This notice only indicates whether the employee is eligible for FMLA leave and is not determinative as to whether the employee's leave qualifies for FMLA.

REQUESTS FOR FMLA LEAVE

If the need for leave is foreseeable, employee requests must be submitted in writing at least thirty days prior to taking leave. If the need for leave is unforeseeable, employee requests must be made as soon as practicable and must comply with an agency's normal call-in procedures.

Leave taken for the birth or placement of a child must be taken within one year of the date of birth or placement of the child.

Employees must submit requests on their agency's standard leave request form. Employees who know the requested leave is for an FMLA-qualifying event may specify that the leave is requested pursuant to the FMLA.

CERTIFICATIONS

If the agency does not have enough information to determine whether the employee's leave is taken for FMLA-qualifying reason, the agency may require the employee to submit a complete and sufficient certification on one of the following forms, depending on the nature and condition of the leave requests:

- *Certification of Health Care Provider for Employee's Serious Health Condition*
- *Certification of Health Care Provider for Family Member's Serious Health Condition*
- *Certification of Qualifying Exigency for Military Family Leave*
- *Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave*
- Equivalent documentation in the case of an adoption/foster care.

Agencies may contact the employee's health care provider for the purpose of clarification and authentication of the medical certification after the agency has given the employee an opportunity to cure any deficiencies. To make such contact, an agency must use a health care provider, a human resources professional, a leave administrator or a management official. The employee's direct supervisor may not contact the employee's health care provider. Additionally, the requirements of the Health Insurance Portability and Accountability Act (HIPAA) must be satisfied when individually-identifiable health information of an employee is shared with an employer by a HIPAA-covered health care provider.

For leave taken because of an employee's own serious health condition or the serious health condition of a family member, agencies may require a second opinion from a second health care provider designated by and paid for by the agency. If the first and second opinions conflict, agencies may require the employee to submit to a third examination at the agency's expense by a health care provider chosen jointly by the employee and the agency. In choosing the third health care provider, both the employee and the agency must be reasonable and act in good faith. The opinion of the third health care provider is final and binding.

An agency may require an employee to provide recertification of an employee or family member's serious health condition at any time if:

- The employee requests an extension of leave;
- Circumstances described by the previous certification have changed significantly (*e.g., the duration of the illness, the nature of the illness, complications*); or
- Leave taken by the employee is inconsistent with the circumstances described in the employee's certification.

Absent such circumstances, if the medical certification indicates that the minimum duration of the condition is more than 30 days, an agency must wait until that minimum duration expires before requesting a recertification. However, in all cases, an employer may request a recertification of a medical condition every six months in connection with an absence by the employee.

Second and third opinions are not permitted on an employer's request for recertifications. Second and third opinions and recertifications are not permitted for leave taken because of a qualifying exigency or for leave taken to care for a covered servicemember.

Where the employee's need for leave due to the employee's own serious health condition, or the serious health condition of the employee's covered member lasts beyond a single leave year, the agency may require the employee to provide a new medical certification in each subsequent leave year. Such new medical certifications are subject to the provisions for authentication and clarification, including second and third opinions.

DESIGNATION NOTICE

Within five business days after receiving enough information to determine whether the leave is taken for a FMLA-qualifying reason (e.g., after receiving a complete and sufficient certification), the agency must notify the employee whether the leave will be designated and will be counted as FMLA leave. Only one notice of designation is required for each FMLA-qualifying reason per applicable 12-month period.

If the agency determines that the leave will not be designated as FMLA-qualifying, the agency must notify the employee of that determination.

The agency must notify the employee of the amount of leave counted against the employee's FMLA entitlement. If the amount of leave needed is not known, then the agency must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon the request by the employee, but no more often than once in a 30-day period and only if leave was taken in that period.

USE OF FMLA LEAVE

Employees may take intermittent leave when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

In reviewing an employee's request for intermittent leave, the agency Human Resources office shall determine whether or not an acceptable leave schedule can be arranged and may consider a temporary transfer to an alternative, comparable position.

Leave must be taken in increments of no less than 1/10 hour. If it is physically impossible for an employee using intermittent leave to commence or end work mid-way through a shift, the entire period that the employee is absent may be designated as FMLA leave and be counted against the employee's FMLA entitlement.

Holidays that occur during a full week of FMLA leave will count against the employee's FMLA entitlement. However, if an employee is using FMLA leave in increments of less than one week, the holiday will not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and is expected to work during the holiday.

If an employee would normally be required to work overtime, but is unable to do so because of a FMLA-qualifying reason that limits the employee's ability to work overtime, the overtime hours which the employee would have been required to work may be counted against the employee's FMLA entitlement.

Agencies may grant employees intermittent leave for the birth or placement of a child. Intermittent leave for the birth or placement of a child shall be upon approval of the employee's supervisor and the Human Resources office. Employees should request such leave from their supervisors and may request a review from their Human Resources office of any decision made.

An employee on FMLA leave shall not hold outside employment while on FMLA leave without the prior written approval from the agency's Human Resources office.

INTERACTION WITH OTHER LEAVE PROGRAMS

Employees shall exhaust all accrued sick, vacation, personal leave, and compensatory time balances, as appropriate, prior to going on unpaid leave. The paid leave used will count concurrently as FMLA leave.

When FMLA leave is used concurrently with Disability Leave, Workers' Compensation, or Adoption/Childbirth Leave, the leave policies for those programs shall override the requirement of this policy for employees to exhaust all of their accrued leave.

Employees requesting Workers' Compensation, Occupational Injury Leave, or Disability Leave who are also eligible for FMLA leave shall have up to twelve weeks of the non-working portion of the approved benefit period, including any required waiting period, count concurrently as FMLA leave. Agencies may also grant FMLA leave to employees while their request is being reviewed. The granting of FMLA leave shall have no bearing on the approval or disapproval of employees' requests.

Employees requesting Adoption/Childbirth leave benefits who are also eligible for FMLA leave shall have the entire non-working portion of Adoption/Childbirth leave, including the required waiting period, count concurrently as FMLA leave. An employee who is not eligible for FMLA leave (*e.g., the employee has not been in active work status for 1,250 hours during the previous twelve months or has already used his or her twelve workweeks of FMLA leave*) shall retain his or her right to Adoption/Childbirth leave upon meeting the Adoption/Childbirth leave eligibility requirements.

EMPLOYEE BENEFITS

Agencies are required to continue paying the employer's portion of health insurance premiums during approved FMLA leave.

Employees are required to continue paying the employees' portion of health insurance premiums. Information on how health insurance premiums are to be paid while on FMLA leave may be obtained from the Human Resources or Payroll office.

Employees shall be given a thirty-day grace period from the due date of their health insurance premium. Employees who fail to pay their portion of the health insurance premium within this grace period may, with fifteen days notice from their agency Human Resources or Payroll office, be removed from their respective health insurance plan. Agencies that cancel an employee's health insurance without giving fifteen days notice become liable for the employee's health care costs.

If an employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

Agencies may seek reimbursement for any health insurance premiums paid on behalf of the employee if the employee's failure to return to work from FMLA leave, unless the reason for the employee failing to return to work is due to the continuation or recurrence of the serious health condition or is otherwise beyond the employee's control as defined in the FMLA.

Employees who are reinstated will not lose any service credit and FMLA leave will be treated as continuous service for the purpose of calculating any benefits that are based on length of service.

REINSTATEMENT

Employees are entitled to reinstatement to the same or similar position upon return from leave.

If the same job is not available, the agency's Human Resources office will determine in which similar position the employee should be placed, making sure that the position has equivalent pay, benefits and conditions of employment.

Before they are reinstated, employees who take leave due to their own serious health condition may be required to provide certification from a health care provider that they are able to perform the essential functions of their position.

RECORDKEEPING

Agencies will maintain records of leave balances and FMLA leave usage. Medical records accompanying FMLA requests will be kept separate from personnel files in a confidential manner.

GENERAL NOTICE REQUIREMENT

All agencies are required to post and distribute a notice of FMLA rights and responsibilities and the state and agency FMLA policies. This material should be included in the agency's handbook (if one exists), in a conspicuous place on the agency's premises, and should be distributed to each new employee upon hiring. Electronic posting and distribution is permissible so long as all employees and applicants have access to the information.

Questions or requests for assistance should be addressed to each agency Human Resources Office.



State of Ohio Administrative Policy

No: HR-26

State Human Resources Division

Effective:

July 27, 2023

Funeral Honors Detail Leave

Issued By:

Kathleen C. Madden, Director

I. Purpose

To establish a uniform methodology for administering the ***Funeral Honors Detail Leave (FHDL)*** created by Ohio Revised Code (ORC) 124.1311. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to state employees as defined in ORC 124.1311.

III. Policy

ORC 124.1311 creates FHDL for state employees. Properly trained state employees have a lifetime maximum of 20 hours of paid leave to participate in ***Funeral Honors Details*** at the funerals of military veterans. Uniform application of FHDL is essential to proper maintenance of state operations while also properly honoring those individuals who served in the Armed Forces of the United States. A state employee may use FHDL to cover the time necessary to travel to and from the assignment location, and to cover the time of the actual assignment.

A. **Eligibility Requirements:** A state employee must meet the two following requirements to qualify for FHDL:

1. Be a retired or active member of the Armed Forces of the United States or of a reserve component of the Armed Forces of the United States, including the Ohio National Guard; and
2. Be properly trained to participate in a Funeral Honors Detail.

- B. **Demonstration of Eligibility for Retired Military Service:** A retired Armed Forces member shall demonstrate retired status in one of the following ways:
1. Provide their agency with a copy of the front of the individual's Retired Military Identification Card. This card will indicate that the person is retired from the military and will contain a photo of the individual; or
 2. Provide their agency with a copy of the individual's Form DD 214 or NGB 22 that will reflect the individual's separation from service.
- C. **Demonstration of Eligibility for Active Military Service:** An active Armed Forces member shall demonstrate active status in one of the following ways:
1. Provide their agency with a copy of the front of the individual's active Military Identification Card. This card will indicate the person's expiration of service (ETS) date and will contain a photo of the individual. The date of FHDL must precede the ETS date to be valid; or
 2. Provide their agency a letter on Armed Forces unit letterhead signed by the individual's commanding officer stating that the individual is an active member of the Armed Forces of the United States and listing the person's ETS date. The date of the FHDL must precede the ETS date to be valid.
- D. **Funeral Honors Detail Training:** A state employee shall demonstrate the required training in order to qualify for FHDL in the following ways:
1. For a member of an Ohio Army National Guard Honor Guard team, provide their agency with written verification from the State Military Funeral Honors Coordinator that the individual has received the required training. This verification may be in the form of a letter on proper letterhead and signed by the coordinator or may be copies of the appropriate certificates such as those linked in Section VI of this policy; or
 2. For a member of a Veteran Service Organization (VSO) that has received training from the VSO, provide their agency with written verification from the VSO that the individual has received the proper training to participate in a Funeral Honors Detail. This verification may be in the form of a letter on VSO letterhead signed by the proper officer of the VSO or the VSO Training Certificate of Completion linked in Section VI of this policy; or
 3. Provide any other written documentation that reasonably demonstrates that the individual has been properly trained to provide Funeral Honors Detail.
- E. **Requesting Funeral Honors Detail Leave:** In addition to demonstrating eligibility to receive FHDL as described above, the state employee must make the request for this type of leave at least 24 hours prior to the time of the leave, if practicable, using the normal agency procedures for requesting leave. Given the nature of the activities associated with FHDL, agencies should be reasonable in waiving the time restriction for making such a request as circumstances warrant.

- F. **Allocation of Leave:** If the employee participating in a Funeral Honors Detail receives actual orders for the assignment and has paid military leave still available, paid military leave may be used to cover the time off, at the state employee's discretion. In all other situations where an employee participates in a Funeral Honors Detail, FHDL should be used to cover the time off if available. This policy does not prevent an employee from using vacation leave, personal leave, or compensatory time off to participate in Funeral Honors Detail. The use of these types of leave is subject to the normal agency procedures for requesting such time off.
- G. **Verifying Performance of Funeral Honors Detail:** A state employee is required to provide proof of participation in a Funeral Honors Detail to their agency after completion of the assignment. The state employee may do so in the following manner:
1. For a member of an Ohio Army National Guard Honor team, provide their agency written verification from the State Military Funeral Honors Coordinator that the individual performed as part of a Funeral Honors Detail on the date that the FHDL was requested.
 2. For other military service members, provide their agency with a copy of the Leave and Earnings Statement that shows payment for Military Funeral Honors Duty, written verification from the Military Authority that the individual performed as part of a Funeral Honors Detail, or travel orders for the assignment on the date the FHDL was requested.
 3. For a member of the VSO, provide their agency with written verification from the VSO that the individual performed as part of a Funeral Honors Detail on the date that the FHDL was requested.
- H. **Agency Responsibilities:** Each agency is responsible for internally tracking the use of FHDL by its employees with respect to the 20-hour lifetime maximum allowance. For any employee who transfers from one state agency to another and has FHDL, the transferring agency is responsible for informing the receiving agency as to the total amount of FHDL that has been used by the transferring employee.

IV. Definitions

- A. **Funeral Honors Detail.** Has the same meaning as described in the "National Defense Authorization Act of 2003," 116 Stat. 2556, 10 U.S.C. 1491.
- B. **Funeral Honors Detail Leave (FHDL).** Paid time off pursuant to Ohio Revised Code 124.1311 for qualified state employees to participate in providing a Funeral Honors Detail.

V. Authority

ORC 124.1311

VI. Resources

Document Name	Location
Training Completion Certificate and Example of VSO Certification of Completion	Example Certificates

VII. Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy
Office of Collective Bargaining
Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
04/07/2009	Original policy.
08/24/2021	Reissued for housekeeping changes.
07/27/2023	Reissued in new statewide policy template.



Ohio Administrative Code Rule 123:1-46-05 Leave donation program.

Effective: July 1, 2021

(A) Definitions. As used in this rule:

- (1) "Immediate family" has the same meaning as set forth in rule 123:1-47-01 of the Administrative Code.
- (2) "New sick leave" means sick leave an employee has accrued pursuant to section 124.382 of the Revised Code on or after November 15, 1981. "New sick leave" does not include emergency paid sick leave or expanded family and medical leave available pursuant to the Families First Coronavirus Response Act, Pub. L. No. 116-127 (2020).
- (3) "Paid leave" means new sick leave, personal leave or vacation leave. For purposes of this rule, "paid leave" does not include emergency paid sick leave or expanded family and medical leave available pursuant to the Families First Coronavirus Response Act, Pub. L. No. 116-127 (2020). Except as provided in paragraph (E) of this rule, "paid leave" does not include compensatory time.

(B) Employees eligible to receive donated paid leave. An employee is eligible to receive donated paid leave if the employee:

- (1) Is paid by warrant of the director of budget and management;
- (2) Is employed by the same agency, board, or commission as the employee who is donating the paid leave;
- (3) Is eligible to accrue and use sick leave when in active pay status;
- (4) Has no available accrued leave;
- (5) Has a need for the paid leave due to the serious illness or injury of the employee or a member of



the employee's immediate family; and

(6) Has applied for and not yet been approved for any state-paid leave, workers' compensation, or benefits program which is available to the employee. If the employee is not eligible for any such program, then this requirement is not applicable and does not impact the employee's eligibility to receive donated paid leave. An employee who has applied for these programs may use donated paid leave to satisfy the waiting period for any such benefits, if applicable. After the waiting period, donated paid leave may be used up to an amount equal to the benefit for which the employee has applied (e.g., sixty-seven per cent for disability benefits) while the employee's application is pending approval. If the employee's application for any state-paid leave is approved, the employee shall not use donated leave to supplement the approved state-paid leave.

(C) Employees eligible to donate paid leave. An employee is eligible to donate paid leave if the donating employee:

(1) Is paid by warrant of the director of budget and management;

(2) Is employed by the same agency, board, or commission as the employee receiving the donated paid leave;

(3) Voluntarily elects to donate paid leave and does so with the understanding that the donated paid leave will not be returned;

(4) Donates a minimum of eight hours of paid leave;

(5) Retains a combined leave balance of at least eighty hours after the donated paid leave is deducted from the donating employee's leave balances;

(6) Donates new sick leave, if the employee is donating sick leave; and

(7) Certifies, in writing, the following:

(a) The name of the eligible employee for whom the donated paid leave is intended;



- (b) The pay period(s) to which the offer to donate leave is applicable;
 - (c) The type of paid leave and the number of hours to be donated, with the minimum number of such hours being eight;
 - (d) That the donating employee will retain a minimum combined leave balance of at least eighty hours after the donated paid leave hours have been deducted from the donating employee's balances; and
 - (e) That the leave is being donated by the employee voluntarily and that the employee understands that the donated paid leave will not be returned.
- (D) General principles.
- (1) Donated paid leave shall be administered on a pay period by pay period basis. Appointing authorities shall only deduct the maximum amount specified by the donating employee from the donating employee's leave balance, but under no circumstance shall an appointing authority deduct more from the donating employee's leave balance than the amount of leave that is necessary to bring the receiving employee up to the maximum number of hours the receiving employee is scheduled to work in the pay period. Banking of donated leave is not allowed. Leave accrued by an employee while using donated paid leave shall be used, if necessary, as soon as it is available before additional donated paid leave may be received and used by the employee.
 - (2) If an appointing authority receives more than one offer to donate leave to a qualifying employee for any pay period, the appointing authority shall process the offers in the order they are received.
 - (3) An eligible employee shall receive no more than eight hundred hours of donated leave from all sources combined in any calendar year period.
 - (4) Appointing authorities shall ensure that no employees are forced or coerced into donating paid leave. Leave donations are to be entirely voluntary on the part of the donating employee.



(5) Appointing authorities shall respect an employee's right to privacy. However, appointing authorities may, with the permission of the employee who is in need of donated paid leave, inform its employees of an employee's critical need for leave. Appointing authorities shall not directly solicit donated paid leave from its employees.

(6) Employees using donated paid leave are in active pay status and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled. Donated paid leave shall never be converted to a cash benefit.

(7) Donated paid leave shall not count toward the probationary period of an employee who receives donated paid leave during the employee's probationary period.

(E) Statewide paid leave donation bank.

(1) Structure

(a) The department of administrative services will establish a statewide paid leave donation bank for participating agencies. For purposes of the statewide paid leave donation bank, a "participating agency" is an agency, board or commission under the purview of the governor, that has not received an exemption as provided in paragraph (E)(2) of this rule.

(b) The statewide paid leave donation bank will be administered by the department of administrative services as determined by the director. The director may establish procedures to administer this rule.

(c) A participating agency with an existing intra-agency leave donation program established in accordance with paragraphs (A) to (D) of this rule may continue to administer their existing program.

(2) Exemptions from the statewide paid leave donation bank. An agency may request an exemption to be excluded from the statewide paid leave donation bank and to administer an alternative leave donation system. Such request will be submitted to the director in writing and contain sufficient information regarding the proposed alternative leave donation system to enable the director to conduct an appropriate evaluation.



Agencies that are exempt from participating in the statewide paid leave donation bank may still utilize any of the standards established by this rule to administer their alternative leave donation systems.

An agency may request an exemption from the statewide paid leave donation bank at any time. Any leave donated by the agency's employees to the statewide paid leave donation bank prior to the director's approval of the agency's exemption request will not be returned to the agency or the donating employee. Such leave will remain in the statewide paid leave donation bank to be available for use by employees of participating agencies.

(3) Employees eligible to receive donated paid leave from the statewide paid leave donation bank.

An employee is eligible to receive donated paid leave from the statewide paid leave donation bank if the employee:

- (a) Is paid by warrant of the director of budget and management;
- (b) Is employed by a participating agency;
- (c) Is eligible to accrue and use sick leave pursuant to section 124.382 of the Revised Code when in active pay status;
- (d) Has no available paid leave;
- (e) Has exhausted, or is otherwise ineligible for, emergency paid sick leave or expanded family and medical leave provided in the Families First Coronavirus Response Act, Pub. L. No. 116-127 (2020);
- (f) Has a need for paid leave due to a serious illness, properly ordered quarantine, or serious injury of the employee or a member of the employee's immediate family; and
- (g) Has applied for and not yet been approved for any state-paid leave, workers' compensation, or benefits program which is available to the employee. If the employee is not eligible for any such



program, then this paragraph is not applicable and does not impact the employee's eligibility to receive donated paid leave. An employee who has applied to these programs may use donated leave to satisfy the waiting period for any such benefits, if applicable. After the waiting period, donated paid leave may be used to an amount equal to the benefit for which the employee has applied (e.g., sixty-seven per cent for disability benefits) while the employee's application is pending approval. An employee ceases to be eligible to use donated leave during the time period such employee is receiving any state-paid leave.

(4) Employees eligible to donate paid leave to the statewide paid leave donation bank.

An employee is eligible to donate leave if the employee:

- (a) Is paid by warrant of the director of budget and management;
- (b) Is employed by a participating agency;
- (c) Voluntarily elects to donate paid leave and does so with the understanding that the donated paid leave will not be returned;
- (d) Donates a minimum of eight hours of paid leave;
- (e) Retains a combined paid leave balance of at least eighty hours after the donated paid leave is deducted from the donating employee's paid leave balances;
- (f) Donates new sick leave, if the employee is donating sick leave; and
- (g) Certifies in writing the following:
 - (i) The type of leave and the number of hours to be donated, with the minimum number of such hours being eight;
 - (ii) That the donating employee will retain a minimum combined paid leave balance of at least eighty hours after the donated leave hours have been deducted from the employee's paid leave balances;



(iii) The understanding that the donated paid leave will be deducted from the employee's paid leave balances upon receipt by the department of administrative services of the paid leave donation form from the donating employee's appointing authority; and

(iv) The understanding that once the donated paid leave has been deducted from the employee's paid leave balances it will not be returned and the leave is being donated by the employee voluntarily.

(5) How to donate paid leave to the statewide paid leave donation bank.

(a) An eligible employee desiring to donate paid leave to the statewide paid leave donation bank will use a paid leave donation form supplied by their participating agency employer to make such a donation.

(b) Upon receipt of a properly completed paid leave donation form, the participating agency will take the following actions:

(i) Verify that the employee is eligible to donate paid leave pursuant to this rule; and

(ii) For donation requests that are verified, submit the properly completed paid leave donation form and confirmation of its verification to the department of administrative services for processing.

(c) Upon receipt by the department of administrative services of a properly verified paid leave donation form from a participating agency, the department of administrative services will take the actions necessary to deduct the appropriate amount of paid leave time from the donating employee's leave balances and add that time to the statewide paid leave donation bank.

(6) How to apply for donated leave from the statewide paid leave donation bank.

(a) An eligible employee desiring to receive donated paid leave from the statewide paid leave donation bank will use the paid leave donation form supplied by their participating agency employer to make such a request for donated paid leave.



(b) Upon receipt of a properly completed paid leave request form, the participating agency will take the following actions:

(i) Verify that the employee is eligible to receive donated paid leave pursuant to this rule; and

(ii) For paid leave requests that are verified, submit the properly completed paid leave request form and confirmation of its verification to the department of administrative services for processing.

(c) Upon receipt by the department of administrative services of a properly verified paid leave request form, the department of administrative services will take actions necessary to add the appropriate amount of paid leave time to the requesting employee's new sick leave balance and deduct that time from the statewide paid leave donation bank balance.

(7) General principals.

(a) Paid leave accrued by an employee while using donated paid leave from the statewide paid leave donation bank will be used, if necessary, as soon as it is available to the employee before additional donated paid leave may be received and used by the employee.

(b) An eligible employee can receive no more than eight hundred hours of donated leave from the statewide paid leave donation bank in any calendar year period.

(c) The participating agency will take precautions so that no employees are forced or coerced into donating paid leave to the statewide paid leave donation bank. Leave donations are to be entirely voluntary on the part of the donating employee.

(d) A participating agency may make its employees aware of the statewide paid leave donation bank and its purposes, but will not directly solicit its employees to donate. Except as necessary to administer this rule a participating agency will not disclose the identity of the employee who is in need of donated leave.

(e) Employees using donated paid leave are in active pay status and will accrue leaves and be entitled to any benefits to which they would otherwise be entitled. Donated paid leave has no cash value.



(f) Donated paid leave is not counted towards the completion of the probationary period of an employee who receives donated paid leave during the employee's probationary period.

(g) All requests for receipt of donated paid leave from the statewide paid leave donation bank will be processed by the department of administrative services on a first-come, first-served basis and are subject to the limits of the available balance of the statewide paid leave donation bank.

(h) Emergency paid sick leave and expanded family and medical leave available pursuant to the Families First Coronavirus Response Act, Pub. L. No. 116-127 (2020), cannot be donated.

(i) Compensatory time is considered "paid leave" only for purposes of the statewide paid leave donation bank under this rule. Compensatory time can be donated to the statewide paid leave donation bank only by overtime exempt employees. Employees who are overtime eligible cannot donate compensatory time to the statewide paid leave donation bank. Overtime eligible employees may use compensatory time donated to the statewide paid leave donation bank.

STATEWIDE LEAVE BANK FORM

LEAVE DONOR INFORMATION

State of Ohio User ID	First Name	MI	Last Name

Please select your Union:

Leave Type	Hours Donated
Vacation	
Sick	
Personal	
Compensatory*	

Total hours donated must equal a minimum of 8 hours

*Only Overtime Exempt employees can donate Compensatory Time

Please note that once the employee's donated paid leave form has been received by the Department of Administrative Services the donated hours will immediately be deducted from the employee's paid leave balances and will not be returned.

CERTIFICATION

I hereby certify that this request is made voluntarily. I was not coerced, intimidated or financially induced into donating leave. By signing I hereby relinquish all rights to the leave shown above and the benefits accruing to or attached to the same. I understand that the donation of leave is irrevocable and irreversible and that no leave will be refunded to me. I certify that I will have a remaining balance of 80 hours or more of combined leave (sick, vacation, personal and compensatory) after making this donation.

Signature*		Date*	
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*If this Form is submitted electronically, the donating employee may type entries into the blank fields above.

AGENCY CERTIFICATION – TO BE COMPLETED BY AGENCY

I have reviewed and validated the employee meets the requirements to donate leave.

Signature*		Date*	
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STATEWIDE LEAVE BANK FORM

*If this Form is submitted electronically, the approving agency employee may type entries into the blank fields above.

LEAVE REQUESTOR INFORMATION			
State of Ohio User ID	First Name	MI	Last Name

Please select your Union:

Hours Requested

CERTIFICATION
I certify that I meet all required, applicable criteria to receive donated leave pursuant to OAC 123:1-46-05.

Signature*		Date*	
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*If this Form is submitted electronically, the requesting employee may type entries into the blank fields above.

AGENCY CERTIFICATION – TO BE COMPLETED BY AGENCY
I have reviewed and validated the employee meets the requirements to receive donated leave.

Signature*		Date*	
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*If this Form is submitted electronically, the approving agency employee may type entries into the blank fields above.

OHIO EXPOSITIONS COMMISSION LEAVES

A. GENERAL

It is the policy of the Ohio Expositions Commission (OEC) that any employee desiring to take leave, request it in advance. All leaves will be approved or disapproved based upon departmental and operational needs. It is also the OEC's policy to take corrective action for unauthorized use and abuse of leave.

B. SUMMARY OF LEAVES AND NOTIFICATION REQUIREMENTS

LEAVE	Minimum Notification Requirement	How Requested
Vacation - Exceeding two consecutive work days (16 hours)	1 Week – 7 days	Written on Form ADM 4258
Vacation – 16 hours or less	24 hours – 1 day	Written on Form ADM 4258
Personal	48 hours – 2 days	Written on Form ADM 4258
Comp-Time	24 hours – 1 day	Written on Form 4258
Sick Leave	One-half hour after the start of the workday	Initial verbal request, followed with written documentation on Form 4258;; may require physician's statement
Leave Without Pay	24 hours – 1 day	Written on Form ADM 4258; may require physician's statement
Court Leave	As soon as employee receives notification	Written on Form ADM 4258 plus copy of subpoena
Jury Duty	As soon as employee receives notification	Written on Form ADM 4258 plus supporting documentation
Adoption/Childbirth Leave	Two (2) working days following the birth or adoption of a minor child	Written on Form ADM 4258 plus supporting documentation
FMLA Leave	30 days or as soon as possible	Written on form ADM 4258 plus supporting documentation for specific type of FMLA
Disability Leave	One-half hour after the start of the workday on the first day of absence	OAKS self entry; physicians statement to HR
Military Leave	As soon as official papers are received or employee is aware of such orders	Written on Form ADM 4258 plus copy of orders
Bereavement Leave	As soon as employee becomes aware of need	Written on Form 4258 plus supporting documentation

State of Ohio
Request For Leave

Name	(Last)	(First)	(Middle Initial)	Date
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Employing Unit _____

I request leave
 Beginning _____ (time) A. M. P. M. _____ (date), _____ (year), and
 Ending _____ (time) A. M. P. M. _____ (date), _____ (year), for the following reason:

Mark Appropriate Boxes Below:

Sick Leave # of Hours _____ (Explain)

Vacation # of Hours _____ Personal # of Hours _____ Compensatory # of Hours _____

Leave Without Pay (Explain)

<input type="checkbox"/> Bereavement	Name of Deceased	Relationship	Date of death
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(Attach copy of subpoena or summons)

Jury Duty Witness Duty

(Attach copy of orders, or other appropriate documentation, that supports request for Military leave)

Military With Pay Military Without Pay

<input type="checkbox"/> Adoption / Childbirth Leave	Event Date	Do you wish to supplement? <input type="checkbox"/> Yes <input type="checkbox"/> No
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<input type="checkbox"/> Pending Disability	<input type="checkbox"/> Pending Workers' Compensation	Do you wish to supplement? <input type="checkbox"/> Yes <input type="checkbox"/> No
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<input type="checkbox"/> Other (Explain)	Is this absence due to a condition for which an FMLA Certification form is on file? <input type="checkbox"/> Yes <input type="checkbox"/> No	Total Hours Requested
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I have insufficient sick leave for the above request.
 I request the following in lieu of sick leave:

Vacation Personal
 Compensatory Leave Without Pay

I certify that this request for leave form contains true and complete information.

 Signature of Employee

Administrative Action

<input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Supervisor Signature _____ Date _____	Appointing Authority Signature _____ Date _____

Remarks	Remarks
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POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY

The Ohio Expositions Commission does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

The following person has been designated to coordinate compliance with the nondiscrimination requirements of the Americans with Disabilities Act. Information concerning the provisions of the Americans with Disabilities Act and the rights provided thereunder, are available from the ADA Coordinator names below:

**Jo Ellen Albanese, H.R. DIRECTOR
717 E. 17TH AVENUE, COLUMBUS, OHIO 43211
614-644-4015**



Ohio Administrative Code

Rule 123:1-33-01 State of Ohio disability leave program.

Effective: September 1, 2024

(A) The department of administrative services ("the department") provides disability leave benefits to eligible State of Ohio employees.

(B) An employee who is eligible to receive disability leave benefits may receive disability leave benefits due to a disabling illness, injury, or condition.

(C) Procedures to be followed for determining an application for disability leave benefits.

(1) Employees will submit an application for disability leave benefits to the director of the department or the director's designee within twenty calendar days from the last day worked due to the disabling illness, injury, or condition.

(2) Employees will submit a request to extend disability leave benefits within twenty calendar days of the ending date of granted disability leave benefits or within twenty calendar days of the date of a written request for additional information.

(3) Employees will submit to the director or the director's designee, within twenty calendar days of a request to do so, medical documentation from a state licensed medical practitioner establishing that the employee's illness, injury, or condition prevents the employee from performing the duties of the employee's position, a similar position, or other duties within a transitional work program.

(4) The director or the director's designee is responsible for determining whether an employee is eligible and meets the specifications for receiving disability leave benefits due to a disabling illness, injury, or condition.

(5) Eligible employees who fail to file an application, a request for an extension, or the requested medical documentation relating to the claim within the deadline may have their disability leave benefits delayed to the date of the filing.



(D) Payment of disability leave benefits.

(1) Disability leave benefits will commence following a waiting period of fourteen consecutive calendar days from the last date worked due to the disabling illness, injury, or condition.

(2) Disability leave benefits will be paid at sixty-seven per cent of the employee's base rate as of the date the employee became disabled, up to a lifetime maximum of twelve months based on the employee's scheduled hours of work at the time of the filing of their claim. All disability leave benefits that were granted for claims filed on or after October 29, 2006, will be counted toward the twelve-month lifetime maximum limitation.

(3) An employee receiving disability leave benefits, and an employee during the waiting period, may indicate a desire to utilize accumulated sick leave, personal leave, and vacation leave balances, as well as compensatory time, to receive up to one hundred per cent of pay for time on disability leave or during the waiting period. Such supplementation will have an effective date as of the date the employee requests the supplementation. The sick leave, personal leave, and vacation leave balances, and compensatory time, will be paid at a rate equal to the employee's base rate of pay in effect at the time the employee became disabled.

(4) An employee who does not have sufficient accumulated sick leave, personal leave, vacation leave, or compensatory time to be paid during the waiting period will be considered to be on an approved unpaid leave of absence.

(E) Service credit. An employee receiving disability leave benefits will continue to accrue service credit for purposes of determining vacation benefits, annual step increases, longevity supplement, and retirement benefits. Vacation leave benefits will not accrue while an employee is receiving disability leave benefits. The period during which an employee is receiving disability leave benefits will not count toward an employee's probationary period.

(F) Insurance and premiums.

(1) For those benefits paid in whole or in part by the state, the employer's and employee's share of



the health, life, and other insurance benefits will be paid by the employer during the time an employee is in a no pay status while the claim for disability leave benefits is being processed and during the period that the employee is receiving disability leave benefits. If an employee is in paid status while the claim for disability leave benefits is being processed, the employee is responsible for their share of health, life, and other insurance benefits.

(2) If an employee has exhausted disability benefits, the employee is not entitled to have health, life, or any other insurance benefit paid by the employer.

(3) If an employee's claim for disability leave benefits is subsequently denied and the employee had been in a no-pay status while the employee's claim was being processed, it is the employee's responsibility to reimburse the employer the insurance premiums paid on the employee's behalf.

(4) An employee receiving disability leave benefits may participate in an open enrollment period. Any change in the employee's health insurance benefits will be effective at the beginning of the benefit year.

(G) Termination of disability leave benefits. An employee's benefits will be terminated if the employee:

(1) Is removed from state service except as provided under rule 123:1-41-21 of the Administrative Code;

(2) Engages in any occupation for wage or profit that is the same or similar to their current state of Ohio position or has the same or similar physical or mental qualifications, except where the employee is engaging in transitional work, partial return to work, or light duty.

(3) Engages in any act of fraud or misrepresentation involving the disability claim including the alteration of attending physician statements;

(4) Fails to comply with the provisions of section 124.385 of the Revised Code or this rule;

(5) Is convicted of the commission of a felony; or



(6) Does not notify the appointing authority of a change of address.

(7) Fails to participate in a transitional work program that is agreed upon by both the employee's medical practitioner and the employee's appointing authority.

(H) Necessity of applying for retirement benefits.

(1) The following employees will apply for disability retirement benefits as set forth in paragraph (H)(2) in order to receive continued disability leave benefits:

(a) Disability retirement eligible employees who are nearing six months of continuous disability leave payments;

(b) Those employees whose physicians have deemed them permanently disabled; and

(c) Those employees whose total disability leave will exceed twelve months.

(2) To comply with the provisions of this rule, employees will complete all of the following:

(a) Submit an application to the applicable state employees' retirement system;

(b) Comply with all retirement system specifications; and

(c) Submit all information requested by the retirement system for disability retirement benefits.

(3) After the employee submits documentation establishing compliance with this provision, the employee may receive disability leave benefits in an amount that will bring the employee to sixty-seven percent of the employee's base rate of pay as of the date the employee became disabled.

(I) Disability leave benefits are not payable for any disability caused by or resulting from:

(1) Any injury or illness received in the course of and arising out of any employment covered by any



workers' compensation or federal compensation plan, or during any period in which the employee is receiving, or has been approved for, occupational injury leave, salary continuation, or lost time wages from the bureau of workers' compensation except as outlined in paragraphs (I)(1)(a) and (I)(1)(b) of this rule.

(a) In the case of any injury or illness that may be covered by the bureau of workers' compensation, an employee may file an application for disability leave benefits within twenty calendar days of the receipt of a denial order from the bureau of workers' compensation.

(b) Employees who do not intend to appeal a denial order will submit an affirmation of such with their application for disability leave benefits.

(c) Employees who have or intend to appeal a denial order from the bureau of workers' compensation on an initial claim may receive an advancement of disability leave benefits. All disability leave benefits received by the employee as an advancement will be reimbursed by the employee to the disability leave benefits program if the employee is awarded weekly wage payments by the bureau of workers' compensation for the same time period for which the advancement was made or the employee has been paid a lost time wage settlement.

(d) An employee who receives injury pay pursuant to section 124.381 or section 5503.08 of the Revised Code may be eligible for disability leave benefits when injury pay expires if the employee has received a final notice denying workers' compensation benefits and has applied for disability leave benefits within twenty calendar days of such notice;

(2) Attempted suicide, or self-inflicted injury with the intent to do bodily harm, unless there is a medical history of treatment within five years from the current date of disability for a psychiatric illness, in which case the director or the director's designee reserves the right to review the claim for consideration of a benefit award;

(3) Any act of war, declared or undeclared, whether or not the employee is in the armed forces. In the case of an employee who is a veteran of the United States armed forces, disability benefits will not be denied because the employee contracted the illness or received the injury in the course of or as a result of military service and the illness or injury is or may be covered by a compensation plan



administered by the United States department of veterans' affairs;

(4) Participating in a riot or insurrection;

(5) Drug addiction or alcoholism. However, alcohol or other drug addiction diagnoses may be covered if the employee is receiving and complying with ongoing treatment and it is determined that such treatment program prevents the employee from working as documented by the treatment provider; or

(6) Any injury received or illness contracted in the act of committing a felony.

(J) Discipline of an employee receiving disability leave benefits. An employee receiving disability leave benefits may be disciplined pursuant to the provisions of section 124.34 of the Revised Code, an applicable collective bargaining agreement, or the appointing authority's policies. If the appointing authority conducts a pre-disciplinary investigatory interview, the employee may be granted administrative leave with pay for the duration of the interview. The employee will not receive payment of disability leave benefits for those hours spent on administrative leave with pay, nor will the hours count towards the employee's lifetime maximum benefit. If an employee is removed from service, disability leave benefits will be discontinued as of the date the employee is removed from service. The appointing authority is responsible for notifying the director or the director's designee of any employee removed from service who is receiving disability benefits.

(K) Appeals.

(1) Upon the denial of an employee's application for disability leave due to a medical issue, or upon the termination of disability leave benefits due to a medical issue, an employee may file an appeal to the director or the director's designee within thirty days of the date of notice of the denial or termination. If the employee provides new medical documentation with the appeal, the director or the director's designee will obtain a medical opinion from a third party to address the medical issue. The selection of a third party will be made within fifteen days of the appeal request unless an extension is agreed to by the parties. The third party will render a medical opinion within thirty days of the selection and the decision of the third party will be binding.



(2) Upon the denial of an employee's application for disability leave or upon the termination of disability leave benefits where no medical question is at issue, an employee may file an appeal to the director or the director's designee within thirty days of the date of notice of the denial or termination.

(L) The director or the director's designee will initiate all necessary steps to recover disability leave benefits or insurance premiums paid in error or paid as a result of fraud, or to make any needed adjustments to ensure that proper payment of benefits and insurance premiums has been made. When necessary, the director or the director's designee will request the attorney general to take appropriate action to recover improperly paid benefits or insurance premiums.



Ohio Administrative Code

Rule 123:1-33-17 Occupational injury leave and salary continuation benefits.

Effective: July 30, 2020

(A) For purposes of this rule:

(1) "Allowed physical condition" - means a physical condition diagnosed by an approved physician that arises from an injury inflicted by a ward. It is also a physical condition resulting from substantial aggravation of a pre-existing condition, if such aggravation arises from an injury inflicted by a ward.

(2) "Approved physician" - means a psychologist, psychiatrist, or physician from the approved physician list. In the event an injury requires emergency room treatment, the emergency room physician will be considered an approved physician for purposes of the initial diagnosis and evaluation of the allowed physical or psychological condition.

(3) "Allowed psychological condition" - means a psychological condition, diagnosed by an approved psychiatrist or psychologist from the approved physician list that develops after, and is related to, the allowed physical condition.

(4) "Date of injury" - means the date the event triggering the claim occurred.

(5) "Disabled" - means the employee is unable to perform the essential functions of their job due to an injury while on-duty.

(6) "Inflicted by a ward" - means injured by a ward of the state in one or more of the following ways: (a) an attempt to subdue, control or restrain a ward's inappropriate behavior; (b) as the result of being physically harmed in the course of the employee's duty, as long as the injury was not accidental in nature or caused by the employee's own misconduct or negligence; or (c) during the pursuit of a ward in such circumstances where a ward attempts to flee following the inappropriate behavior listed in this paragraph.

(7) "Ward" - Means an inmate, patient, resident, client, youth or student.



(B) Eligibility.

(1) Occupational injury leave benefits (OIL). Each permanent employee employed by an agency listed in section 124.381 of the Revised Code who sustains an allowed physical condition or an allowed psychological condition filed on or after February 1, 2010 shall, pursuant to this rule and with the approval of the director of the department of administrative services (DAS), receive OIL. Any subsequent injury that is determined to be an aggravation of a previous injury for which OIL was approved shall not be considered an independent injury. It is the employee's responsibility to prove that the allowed physical condition or an allowed psychological condition was inflicted by a ward.

(2) Salary continuation benefits. All permanent employees, including employees not eligible for OIL as described in paragraph (B)(1) of this rule, who sustain physical injuries or other disabilities in the performance of and arising out of state employment on or after February 1, 2010 may apply for salary continuation benefits for each independent injury sustained.

(3) If the employee's OIL claim is denied and the workers' compensation claim is still pending, the employee may apply for salary continuation benefits.

(C) Application. In order to receive OIL or salary continuation benefits, the injured employee shall, within twenty days from the date of the injury, complete and submit the employee's portion of the claim application to the employee's appointing authority. If the employee is physically unable to complete the application, someone acting on the employee's behalf may complete and submit the application.

(D) Amount and length of benefit.

(1) OIL benefits. In no case shall the payment of OIL exceed nine hundred sixty hours per independent injury. A part-time employee's OIL benefits shall be based on the average number of hours worked during the six weeks immediately preceding the related injury, up to forty hours per week.



(2) Salary continuation benefits. In no case shall the payment of salary continuation benefits exceed four hundred eighty hours per independent injury. Any leave provisionally granted under OIL shall count towards the four hundred eighty hour maximum for salary continuation benefits.

(3) Payment. Payment of OIL or salary continuation benefits will begin immediately upon the employee's filing of an application, retroactive to the date the employee became disabled, and will be paid at the employee's total rate of pay.

(E) Other benefits. OIL and salary continuation benefits are in lieu of any other employer-paid leave or workers' compensation benefits. Employees receiving OIL or salary continuation benefits are in active pay status and shall continue to accrue sick leave and personal leave. During the time an employee is receiving OIL or salary continuation benefits under this rule, the employee shall be exempt from receiving vacation leave. OIL and salary continuation benefits shall not be charged against the employee's accumulated sick leave balance.

(F) Employee's responsibilities. In order to receive OIL or salary continuation benefits, the injured employee must also:

(1) Follow the agency's accident or injury reporting guidelines;

(2) Be evaluated by an approved physician to determine if the injury will keep the employee from performing the essential functions of the employee's position. If the employee is unable to schedule an appointment with an approved physician within forty-eight hours of the date of the injury, the employee must contact the agency's workers' compensation coordinator. The employee must continue to seek treatment from an approved physician for the duration of the benefit;

(3) Ensure that an approved physician completes and returns the DAS designated medical form;

(4) Demonstrate that any transitional work program offered by the agency is not appropriate based upon an approved physician's restrictions;

(5) Apply for workers' compensation benefits at the time that OIL or salary continuation is being requested; and.



(6) Receive approval from the bureau of workers' compensation for an additional injury allowance, in the case where, after an initial diagnosis, the injury is determined to be more extensive and the employee requests an extension of benefits.

(G) Failure to be evaluated. If the employee refuses to be evaluated by an approved physician, the application for OIL or salary continuation benefits will be denied and will be reviewed by the bureau of workers' compensation as a normal request for workers' compensation benefits. If the employee has been paid any OIL or salary continuation benefits, the employee shall substitute sick leave, vacation leave, personal leave, compensatory time, or reimburse the employer for any benefits received.

(H) Appointing authority's responsibilities. The employee's appointing authority or designee must promptly review the employee's claim and forward the employee's paperwork to the director or authorized designee within five days of receiving the employee's application. In the case of OIL, the appointing authority or designee should also forward any documentation certifying or disputing that the injury was sustained in the line of duty and was inflicted by a ward. In the case of salary continuation benefits, the appointing authority should also forward any documentation certifying or disputing that the injury was sustained in the line of duty, as well as any witness statements.

(I) Medical treatment and return to work. It shall be the responsibility of the employee to receive necessary medical treatment and to return to active work status at the earliest time permitted by the approved physician.

(J) Termination of benefits. OIL and salary continuation benefits shall terminate when:

(1) The employee engages in any activity that adversely affects the employee's recovery;

(2) The employee engages in any outside activity for wage or profit if the outside activity is inconsistent with the employee's medical or psychological restrictions;

(3) The employee knowingly makes a false or misleading statement, or alters, falsifies, destroys or conceals any document in order to receive the benefit;



- (4) The approved physician releases the employee back to work;
- (5) The employee is incarcerated and the incarceration prevents the employee from coming to work;
- (6) The employee's workers' compensation claim is denied by the bureau of workers' compensation;
- (7) The industrial commission determines the employee has reached maximum medical improvement;
- (8) The employee is disqualified from receiving workers' compensation benefits or if the employee accepts workers' compensation temporary total disability benefits; or
- (9) The employee is no longer employed by the state.

(K) Denied claims.

(1) If an agency denies an employee's application for OIL on the basis that the injury was not inflicted by a ward, OIL shall cease. The employee may appeal the decision to DAS within twenty days of the postmark on the letter of denial and the decision of DAS shall be binding. If the employee's claim is approved by DAS, the agency shall render OIL benefits to the employee back to the time of the initial agency denial. If the employee's OIL claim is denied by DAS, the employee may be eligible for salary continuation benefits.

(2) If the bureau of workers' compensation denies the claim on the basis that the injury was not an allowed physical or psychological condition, OIL or salary continuation benefits shall cease. The employee may appeal the decision to the industrial commission. If the employee's claim is approved by the industrial commission, the agency shall render OIL or salary continuation benefits on the employee back to the time of the initial denial by the bureau of workers' compensation. If the employee's claim is denied by the industrial commission, the employee shall substitute sick leave, vacation leave, personal leave, compensatory time, or reimburse the employer for any benefits received.



(L) Insurance. An employee who receives OIL or salary continuation benefits is responsible for the employee's share of health insurance premiums.

(M) Transitional work program. An employee receiving OIL or salary continuation benefits may participate in a transitional work program pursuant to rule 123:1-33-07 of the Administrative Code. If a permanent employee is given a transitional work assignment with less than the employee's regularly scheduled hours, the employee may use OIL or salary continuation hours to supplement up to the amount of the employee's regularly scheduled hours. If an employee does not successfully complete a transitional work program, the employee may resume OIL or salary continuation benefits up to the number of hours that remain for the injury.

State of Ohio: Disability FAQ

Contact Information:

State of Ohio Disability Center

**PO Box 14648
Lexington, KY 40512**

Toll Free Telephone Number: 844-601-9950

Toll Free Fax Number: 855-800-5116

Email box to send documents (for employee and agency HR use): StateOfOhioDocs@Sedgwick.com

Single sign-on to the mySedgwick online portal: myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits

Agency HR Sedgwick Email Box (only for Agency HR use) StateOfOhioWFA@Sedgwick.com

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Transition Details

1. What's changing?

Sedgwick will take over the administration of new and existing disability claims for the State of Ohio. Sedgwick will manage the disability claim process from start to finish and will work with employees to gather the necessary medical documentation needed to resolve the claim.

2. What is the effective date of the transition to Sedgwick?

The transition will take place on Sept. 1, 2024. Sedgwick will take over management of all open and pending disability claims as of the transition.

3. What is the takeover process for existing/in process disability claims?

The week before the transition (week of Aug. 26, 2024), takeover letters will be mailed from Sedgwick to employees with open claims as of Aug. 22, 2024. The letter will formally advise employees that Sedgwick will begin management of their disability claim on Sept. 1, 2024. The letter will include the employee's new claim number and a step-by-step guide outlining the actions they need to take if their claim is pending, or if their claim is approved but an extension is needed beyond the approved benefit end date. If the employee does not need an extension, no action is required. The final draft of this letter and step-by-step guide will be shared in the next SHRD Newsletter for your Agency HR teams' reference.

Claim Filing and Information

4. How can an employee file a new disability claim?

Employees have multiple ways they can file a new disability leave claim. Claims can be reported by telephone or submitted online through the mySedgwick portal 24/7/365.

Telephone: Employees can report their claim through our Care Team by calling **844-601-9950**

Hours of Operation

- **Interactive Voice Response (IVR): 24/7/365 days per year**
- **Care Team Hours of Operation: 8 a.m. – 8 p.m. ET Monday through Friday**

Online: Employees can also report their claim through the mySedgwick online portal by going to **myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits.**

5. Who can file a claim?

The employee, a member of the employee's family, or a representative of the employee, including the appointing authority, may file an application for disability leave benefits. Agency HR can contact Sedgwick with additional questions by calling the Care Team at 844-601-9950.

6. What if an employee or agency HR has questions about a claim?

Employees and agency HR can contact Sedgwick by calling the Care Team at 844-601-9950. Our Care Team Representatives can answer basic questions about a claim and connect the caller with the assigned Claim Specialist who will be able to answer more detailed questions. Employees and agency HR can also communicate with the assigned Claim Specialist through our online portal, mySedgwick, by going to

myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits. Messages submitted will be responded to within 1 business day.

7. What are the timely reporting requirements to file a claim?

- Most employees must file their claim within 20 calendar days from the last day worked, or last date of approved leave, or from the date the employee is given a disability separation.
- FOP 46 and FOP 48 employees must file their claim within 28 calendar days from last day worked, or last date of approved leave; or 30 calendar days from the date the employee is given a disability separation.
- Where extenuating circumstances prevent an employee from filing an application for disability leave benefits within the required time frame, a written statement from the party responsible for the delay explaining such extenuating circumstances must be filed within fifteen calendar days after the twenty-day time-period has expired. Appropriate extenuating circumstances shall be accepted as an extension of the time limit to file an application for disability benefits.
 - Timely reporting is enforced:
 - If claim is reported late without extenuating circumstances, the claim will be delayed by the amount of calendar days claim was reported late. The denial period will NOT count towards the maximum duration.
 - Claim filed late with extenuating circumstance:
 - EE has 15 calendar days after the 20-day time-period to file a claim with an extenuating circumstance (35 calendar days for extenuating circumstances to file a claim)
 - If claim for extenuating circumstance is filed after 35 calendar days, the claim will be delayed by the amount of calendar days claim was reported late.
 - The denial period will NOT count towards the maximum duration.

8. Can employees report a claim early?

Employee can file their claim up to 30 days ahead of the anticipated date of disability with Sedgwick. If the employee attempts to file their claim prior to this timeframe, they will be advised to resubmit their claim within the 30-day timeframe.

9. How will employees request Leave Supplementation?

Agency HR will be responsible for determining if an employee would like to use accrued leave to supplement their waiting period and/or approved disability leave. Sedgwick will not discuss this with an employee and will instead refer them back to agency HR to discuss.

10. When do employees need to submit an appeal request to Sedgwick?

The employee will need to submit the appeal request to Sedgwick within 30 days of the denial, the same way they submit all other documentation related to their claim.

- If the appeal issue at question is related to the employee's medical documentation, Sedgwick manages the appeal, and no Chapter 119 Hearing is required.
 - If the appeal issue at question is non-medical in nature (e.g., eligibility, late submission, or other technical reasons), Sedgwick will forward the appeal request to DAS, and DAS will continue to manage the appeal through a Chapter 119 Hearing process.
-

mySedgwick Claims Portal

11. What is needed to register on the mySedgwick online portal?

- Active employees will access the site by single sign on by going to **myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits**. Employees and agency HR will access mySedgwick through this pathway.
- Disability Separated/Terminated with Pay (TWP) Employees will receive instructions to access mySedgwick through a direct link option. For registration, Disability Separated/TWP employees will need the following information:
 - Date of Birth
 - Employee ID
 - Home ZIP/Postal Code

12. How can agency HR and Employees use the mySedgwick online portal?

- Report a new claim: Both employees and agency HR can use the online portal to report new disability leave claims. Once the claim is created in Sedgwick's system, it will be viewable in mySedgwick. Please note that there is generally a 2-hour delay between when the claim is reported and when it will be visible in mySedgwick.
- Check the status of a claim: MySedgwick will show the current status of a claim, along with important due dates and milestones.
- Update claim dates: In mySedgwick, employees and agency HR have the ability to confirm or update first date of absence, as well as the return-to-work date.
- Communicate with the examiner: Employees and agency HR will have the ability to message directly with the assigned claims examiner. Messages left for the examiner will be returned within 1 business day.

13. Can agency HR view medical documentation related to their employees' disability claims?

No, due to a system limitation, agency HR will not be able to view medical documentation in the mySedgwick claims portal. However, if notification is received from Sedgwick that your employee has a disability which is permanent or expected to last 6 or more months, you may contact DAS.Disability@DAS.Ohio.gov to request medical documentation for the purposes of disability separation.

Sedgwick Care Team

14. What can the Care Team representatives use to verify an employee when they contact Sedgwick?

- Date Of Birth
 - Employee ID
 - Home ZIP Code
-

15. What can the Care Team representatives use to verify an Agency HR rep when calling about an employee's claim?

- DOB
- Employee ID
- Home ZIP Code

16. How can the Care Team representatives help?

The Care Team consists of customer service representative who can answer questions about the claim such as the medical information due date, the date that the last medical information was received, the status of the claim, and other basic claim, policy, and process information. They can also connect a caller with the assigned Claims Examiner who is handling the claim to answer more detailed questions.

17. Can Care Team representatives share information over the telephone with a member of the employee's family, or a representative of the employee?

Yes, if the employee verifies security and provides verbal approval to discuss the claim, information can be provided. The authorized representative does not have to be present with the employee. Once authorization is provided it will be stored in Sedgwick's system for future calls. If the employee is incapacitated, then a power of attorney would be needed.

18. How quickly will examiners return voice mail or email messages?

Within one business day.

19. How can an employee change contact information?

Employees can change their contact information by calling our Care Team at 844-601-9950, or by logging into our online portal mySedgwick by going to **myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits**. If an employee changes their address with Sedgwick, they will be advised to also make the change in myOhio Self Service (i.e., OAKS HCM).

Claims Processing

20. How can an employee submit information to Sedgwick?

Employees can submit information online through the portal, by phone at 844-601-9950, by fax at 855-800-5116, or by email at (StateOfOhioDocs@Sedgwick.com).

21. How do employees receive information and updates from Sedgwick?

Employees can receive claim information from Sedgwick through mail, email, or text. Some email and text communications will include a link to relevant, short informational videos to ensure employees know what to expect and understand the process.

Employees will set up their preferred contact method when the claim is reported and can change this anytime by calling the Service Center, or through our online portal.

22. What happens after a new disability claim is filed?

- a. Sedgwick will send an initial packet to the employee one business day after the claim is reported. The packet will include:
-

- Claim information and next steps
 - Forms for the employee and provider to complete
 - Medical documentation due date
- b. Sedgwick will contact the employee to discuss the claims process and the treating provider to request any necessary information.
- c. Sedgwick will send an email notification to the assigned agency human resources (HR) representative to notify them that a claim has been reported and request any additional information needed (job description, leave balance, confirmation of last day worked).

23. When is documentation due from an employee when a new disability claim is filed?

For most employees, any necessary documentation is due within 20 calendar days from the last day worked or the date the initial packet is sent, whichever is later. For FOP 46 and 48, the timeframe is adjusted to align with contractual requirements. If documentation has not been received by day 13, Sedgwick will reach out to the employee to remind them of the medical due date. If no documentation is received within 20 calendar days, a decision will be made on the claim on day 21. Employees can request a one-time 7-day extension for the medical due date, as long as the request is made prior to the 21st day.

Any medical received prior to the due date will be reviewed by Sedgwick within two business days of receipt.

24. What is Sedgwick's Fast Track Approval Process and what claims are eligible?

Sedgwick has a fast-track approval process for certain medical conditions to provide an elevated employee experience, and ensure benefits are paid timely. If a diagnosis falls within Sedgwick's fast track criteria, no medical certification is required, and the claim will be approved based on information obtained during claim intake. If the claim is future dated, confirmation of surgery will be obtained from the employee or the treating provider within 1 day after the first day of absence. Fast-track process criteria includes:

- Simple surgeries: Approved to 70% of the Official Disability Guidelines (ODG).
- Any non-mental health diagnosis in which 70% of ODG is three weeks or less (21 calendar days).
- Employee has physically returned to work with any non-mental health diagnosis and is off work 21 calendar days or less.

25. What kind of claim notifications will agency HR receive from Sedgwick?

Sedgwick will send agency HR representatives email notices to keep them informed of claim statuses. These include, but are not limited to:

- New Claim Requests
- Claim status updates: Disability Claim Approval, Disability Claim Pending, Disability Denial
- Return to work notices: Anticipated return to work date, Request to confirm return to work.
- New Appeal Reported
- Appeal Status Changes

26. How will I know if Sedgwick needs information on an employee related to their claim?

Sedgwick will email agency HR whenever information is needed from the State of Ohio to process a claim. Agency HR must respond to these requests which include, but are not limited to:

- Confirmation of last day worked.
 - Verification of employee work schedule
 - Verification of actual hours worked (if employee is permanent, part-time).
 - Eligibility Confirmation (only when applicable).
-

- Request to accommodate restrictions.

27. Medical Documentation for a claim.

Sedgwick will work directly with employees and their treating providers to obtain the necessary medical documentation needed for each claim. The medical information will be submitted to Sedgwick directly. Agency HR will not have access to medical information after Sept. 1, 2024, and will not be required to review this information.

28. What is Sedgwick's 90 Day Claim Review process?

After 90 calendar days of receiving disability benefits, Sedgwick will review the employee's disability claim to determine if the employee is capable of:

- Performing light physical work activities; or
- Performing non-stressful activities requiring the ability to remember and carry out simple procedures independently and respond appropriately to work pressures, co-workers, and supervisors.

If the Sedgwick nurse's review of the claim determines the employee may be a candidate for a Transitional Work Program, Sedgwick will call the employee to inform them that their treating provider will be contacted. The employee will be sent a Transitional Work Program letter and form. Sedgwick will fax this form to the treating provider for completion. If the treating provider releases the employee to return to work with restrictions the below restricted return to work process would be followed.

Return to Work and Transitional Work Programs

29. How will the return to work (RTW) process function with Sedgwick?

- Sedgwick will email agency HR to advise of the anticipated return to work, once the date has been reported. This date will also be visible to agency HR in mySedgwick at **myOhio.gov > My Workspace > Self-Service > Disability Leave Benefits**.
- If the employee has been released with restrictions, Sedgwick will send an email notice to agency HR to provide the RTW date and a list of restrictions from the treating physician. Sedgwick's email will ask agency HR to provide confirmation that the restrictions can be accommodated.
- Agency HR will need to communicate any agency-specific RTW procedures with the employee (e.g. some agencies may require the employee to provide a RTW release from the treating physician) and execute a Transitional Work Program agreement, if applicable.
- Sedgwick will confirm the employee's plans to return to work one week prior to the scheduled return date.
- One business day after the scheduled return date, Sedgwick will reach out to the employee to confirm the return. If Sedgwick does not receive a response, agency HR will be sent an email to confirm the employee did RTW.

30. Return to Work Process - Additional Details:

- ❖ In what circumstances will Sedgwick reach out to an employee 7 days prior to the end of their approved benefit to discuss return to work plans?
-



Department of Administrative Services

- The 7-day outreach is made when the examiner needs to confirm RTW plans. It may also be made when additional documentation needs to be submitted for an extension.

EXAMPLE 1: Confirm RTW

- Provider certified the EE off work for hysterectomy for 6 weeks with a return-to-work date of 08/01.
- Disability claim is approved through 07/31.
- Examiner sends a 2-way text on 07/25 to EE confirming the EE will RTW on 08/01.

EXAMPLE 2: Need for an Extension

- Provider certified the employee off work for back pain for three months with a return-to-work date of 10/01.
- Medical received certifies the employee off work through 07/31, updated medical documentation is required to review for benefits beyond 07/31.
- If no additional medical is received by 07/25, the Examiner will contact the EE to advise that additional medical has not been received and remind the EE of the medical due date.

- ❖ If an employee with an initial disability claim is released to return to work, how will Sedgwick inform agency HR of the RTW date?
 - Sedgwick will send an anticipated RTW email to agency HR.

EXAMPLE 1: Confirm RTW

- Provider certified the EE off work for hysterectomy for 6 weeks with a return-to-work date of 08/01.
- Disability claim is approved through 07/31.
- Examiner sends a 2-way text on 07/25 to EE confirming the EE will RTW on 08/01.
- The EE responds to the text on 07/25 confirming RTW 08/01.
- Examiner will send an Anticipated RTW Email to agency HR on 07/25.

- ❖ If an employee with an ongoing disability claim is released to return to work, how will Sedgwick inform agency HR of the RTW date?
 - For ongoing disability claims, if Sedgwick did not receive updated documentation with a different return to work date, the examiner will follow up 7 calendar days from the benefit end date to confirm RTW with the employee.

EXAMPLE:

- Provider certified the employee off work for back pain for three months with a return-to-work date of 10/01.
 - Disability claim was initially approved through 07/25 (Disability Approval Email will indicate an estimated RTW date of 10/01 with approval through 07/25).
 - Additional medical was received, and the claim was approved through 09/30 (Updated Disability Approval Email will indicate an estimated RTW date of 10/01 with approval through 09/30).
 - Examiner will send a 2-way text on 09/24 to the employee confirming they will RTW on 10/01.
 - The employee responds to the text on 09/26 confirming RTW on 10/01.
 - Examiner will send an Anticipated RTW Email to agency HR on 09/26.
-



- For an ongoing disability claim, if Sedgwick receives an updated work release from the provider with an earlier RTW date, the examiner has two business days to review the document. Upon completion of the document review, the Examiner will follow up with the employee to advise of the updated RTW information and confirm RTW.

EXAMPLE:

- Provider initially certified the employee off work for a foot sprain for three weeks with a return-to-work date of 08/01.
 - The claim is approved through 07/31.
 - Provider submits a work release with RTW 07/29 on 07/23.
 - The work release is reviewed by the Examiner on 07/24.
 - Examiner contacts the employee on 07/24 to inform them a work release was received with a RTW date of 07/29.
- ❖ If an employee's physician releases them to return to work with restrictions, how will Sedgwick inform agency HR of the employee's restricted duties?
- Sedgwick will send a Request to Accommodate Restrictions email to agency HR. The Examiner has two business days to review the documentation received. Once reviewed and documented in our system, the Examiner will send the email to agency HR.

EXAMPLE:

- Sedgwick receives a release to RTW with restrictions of no lifting greater than 20 lbs. on 08/05.
 - Examiner reviews and documents the release with restrictions on 08/07
 - Request to Accommodate Restrictions Email is sent to agency HR on 08/07.
- ❖ Sedgwick does provide agency HR with the estimated return to work date on the Disability Approval Email and the Disability Extension Request Email.

<p>Name:</p> <p>Employee ID:</p> <p>Claim #:</p> <p>First Day Absent:</p> <p>Estimated Return to Work Date:</p> <p>This message is from Sedgwick, the administrator</p>
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- ❖ If an extension of disability leave benefits is requested, Disability Extension Requested Email sent to agency HR will indicate the updated estimated return to work date at the top of the email as well as in the body of the email.
-



The extension request is awaiting receipt of the supporting documentation. Documentation is due 08/24/2024. You will be notified once a final decision has been made.

Estimated Return to Work Date: 09/30/2024

31. How will Sedgwick support agency HR with a Transitional Work Program?

- Restricted Return to Work – reduced schedule: If the employee has been released to return to work with restrictions, Sedgwick will send an email notice to agency HR to provide the RTW date and a list of restrictions from the physician. Sedgwick’s email will ask agency HR if the restrictions can be accommodated. If the reduced schedule restriction can be accommodated, agency HR will execute a Transitional Work Program Agreement. Sedgwick will approve the claim through the medically supported restricted/modified duty period and will monitor restricted time until a full duty RTW, denial, or max benefit duration.
- Restricted/Modified Return to Work – restrictions other than reduced schedule: The same notification and approval process will be followed as outlined above. If agency HR approves the modified return to work, Sedgwick will monitor modified duty for 90 calendar days. At 90 calendar days, Sedgwick will email agency HR to determine if disability will be closed or if employee will be placed off work and return to disability. If agency HR extends the modified duty beyond 90 calendar days, Sedgwick will close the disability claim and agency HR will continue to monitor the modified duties internally.

Interaction with other Leave Programs

32. How will the Sedgwick Workers’ Compensation and Disability programs interact?

- Workers’ Compensation will continue to be managed by Sedgwick’s Workers’ Comp team.
- During the intake process employees will be asked if their condition is work-related. If they answer “Yes”, the claim will be flagged as work related and this will be visible by the specialist. After review, the claim may be denied due to the work-related exclusion, and employees will be advised to file a Workers’ Compensation claim.
- If the Workers’ Compensation claim is subsequently denied and the employee does not intend to appeal the workers’ compensation decision, the employee may contact Sedgwick to file a new disability claim within 20 days of the notification of denial.

33. How does disability interact with pregnancy and childbirth/adoption leave?

An employee can apply for disability leave prior to their delivery due date if there are complications. Once the child is delivered, the employee will transition to Childbirth Leave and the disability claim will be closed. Adoption or childbirth leave will not be managed by Sedgwick.

34. How does disability interact with FMLA?

Agencies should discuss their FMLA requirements for employees who have requested disability leave with their agency legal counsel. Whether to require employees who file for disability leave to also complete an FMLA certification is an agency decision, but having the employee complete the FMLA certification is generally considered to be a best practice Pursuant to the State of Ohio Family and Medical Leave (FMLA) Policy. Employees who are eligible for FMLA leave have their disability leave and FMLA run concurrently. If an agency

does not require an FMLA certification for an employee approved for disability leave, the agency must advise the employee in writing that the leave is being treated as FMLA and is running concurrently with the disability leave. Employees should be required to provide FMLA certification for FMLA qualifying leave once they have returned to work from a disability leave.

Miscellaneous

35. How will the disability retirement process work with Sedgwick?

Agency HR will continue to be responsible for supporting the employee with filing for disability retirement and processing personnel actions related to disability retirement. Sedgwick will send an email notice to agency HR to inform them when their employee has been deemed permanently disabled or deemed disabled for a period of six or more months.

36. What if an employee with a pending discipline or investigation submits a disability claim?

Agency HR should notify Sedgwick of any pending discipline or investigation through the Sedgwick Email Box (only for agency HR use) StateOfOhioWFA@Sedgwick.com or by contacting the Care Team at 844-601-9950 (Hours of Operation: 8 a.m. – 8 p.m. ET Monday through Friday).

37. Where can I find the Disability Leave Program policy?

Agencies should refer to statewide policy HR-55, Disability Leave Program. State of Ohio Administrative Policies may be found online at: <https://das.ohio.gov/employee-relations/policies>.



State of Ohio Administrative Policy

No: HR-31

State Human Resources Division

Effective:

January 23, 2024

Youth Mentorship Program

Issued By:

Kathleen C. Madden, Director

I. Purpose

To provide guidelines for leave to support State employees participating in programs for mentoring or providing support for youth. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all permanent exempt employees in state agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies).

III. Policy

State employees are encouraged to serve as mentors or volunteers to help Ohio youth in need. Mentorship occurs when an adult provides support to a youth in an area of need. Mentorship provides powerful benefits to the mentee including improved high school graduation rates, reduced likelihood of dropping out of school, improved school attendance, higher college enrollment rates, improved behavior in and out of school, improved interpersonal relationships, and reduced likelihood of using drugs and alcohol. There are also significant benefits to the mentor including increased self-esteem, enhanced social networks, and improved patience and supervisory skills.

To support State employees who desire to participate in a mentorship program or volunteer opportunity for youth, the State has established paid leave that may be used in accordance with this policy. Any State employee's participation must be approved by the Agency appointing authority. Use of leave to participate as a mentor or volunteer shall not impact Agency operational needs.

- A. **Eligible Programs:** Mentorship can occur through a formal or informal program. Formal programs are often through an established organization (e.g., Big Brothers Big Sisters of America) and usually include an application process, background check, interview, and

required training. Informal programs, such as volunteer opportunities, may be available and can be associated with community or faith-based organizations. There may be other opportunities to support Ohio youth, including volunteering in schools or after school programs, reading to youth to help improve literacy, or tutoring. Employees are permitted to use the leave to participate in a program, whether formal or informal, as long as the employee can demonstrate that the goal of the program is to have a significant impact on the life of Ohio youth.

1. Approval of a mentorship program for use of the available leave is at the discretion of the employee's appointing authority. Appointing authorities should give consideration to informal programs as well as formal programs. In determining whether the mentoring program qualifies, appointing authorities are encouraged to review aspects of the program, such as the stated purpose of the program, the process the program uses for matching mentors with youth, and the process for becoming a mentor.
2. Employees are not eligible for leave if the mentee or beneficiary of the program is a member of the employee's **Immediate Family**.

B. **Available Leave:** Permanent full-time and part-time exempt State employees serving as youth mentors in approved programs are permitted one (1) hour of paid leave per pay period (up to a maximum of 26 hours each calendar year).

1. Use of the leave must be pre-approved by the employee's supervisor and not create any operational concerns for the Agency.
2. The purpose of the leave is for participation in activities directly related to the mentorship program, including any required training. The participating employee is required to submit proof of participation in the program at least once per year on the designated form. The form must clearly indicate how participation in the program has a positive impact on Ohio youth.
3. Mentorship activities may exceed the amount of available leave. If the additional hours needed occur during the employee's working hours, the employee may request to use other types of approved leave, which will be approved in accordance with Agency policy for the leave type.
4. This use of paid leave shall not be considered active pay status for the purposes of earning overtime or compensatory time.

C. **Procedures**

1. ServeOhio maintains a list of available mentorship programs for participation by State employees. This list is not all inclusive but serves as a resource for State employees who are seeking mentorship opportunities. The list is available on the Get Connected website (see Section VI, Resources).
2. Agencies shall provide the State of Ohio's Youth Mentor Program form to State employees interested in participating in mentorship programs (see Section VI, Resources). Agencies

are responsible for ensuring that the form is submitted prior to approving any leave. The form must be submitted at least once each calendar year.

3. The employee’s appointing authority is responsible for tracking time and attendance regarding participation in an approved mentorship program.

- D. **Implementation:** State Agencies shall distribute this policy to all exempt employees and promote employee participation as a mentor or volunteer for youth programs.

IV. Definitions

- A. Immediate Family. An employee’s children, siblings, grandchildren, step-children, and those minors for whom the employee is a legal guardian.

V. Authority

Executive Order 2023-02D

VI. Resources

Document Name	Location
Get Connected website	https://serve.ohio.gov/volunteering/getting-connected/01-get-connected
Program Participation Form	https://das.ohio.gov/employee-relations/policies/youth-mentorship-program-policy

VII. Inquiries

Direct inquiries about this policy to:

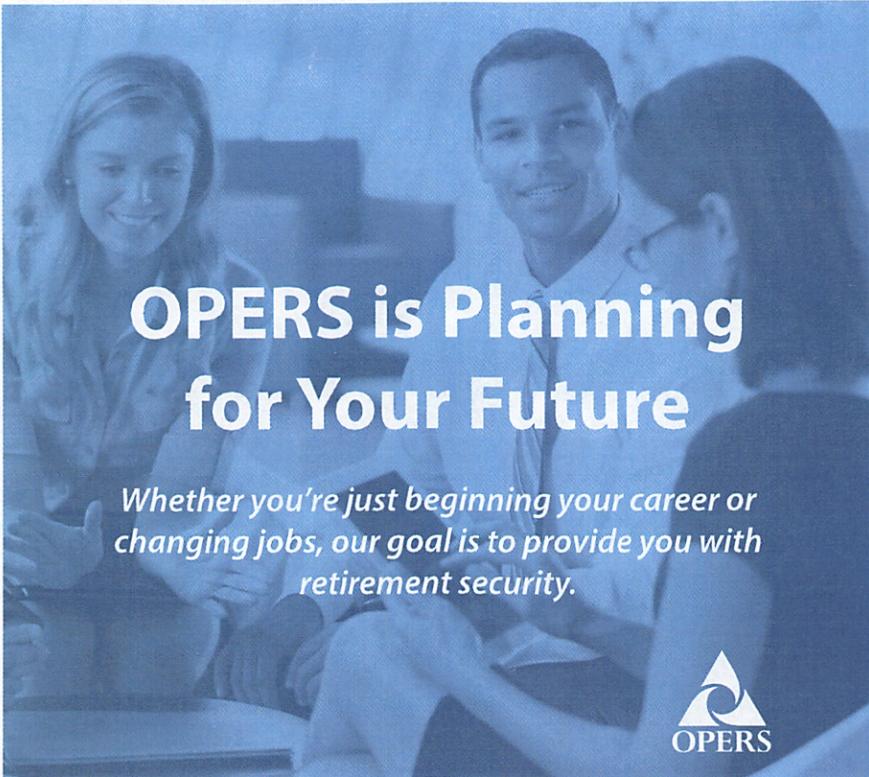
Labor Relations and Human Resources Policy
Office of Collective Bargaining
Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at www.das.ohio.gov/forStateAgencies/Policies.aspx

VIII. Revision History

Date	Description of Change
01/23/2024	Original policy.



OPERS is Planning for Your Future

Whether you're just beginning your career or changing jobs, our goal is to provide you with retirement security.



You're in good company

OPERS serves more than 1 million past and present Ohio public workers.



We are a large network of employers

We cover over 3,700 employers across Ohio – from libraries and counties to state universities and hospitals. That means you can change jobs and may still be covered by OPERS.



We are your pension system

An OPERS pension offers a secure retirement benefit and the longer you work, the more retirement income you will receive.



What is a pension?

As an OPERS member, you do not pay into Social Security. Instead, you contribute 10% of your salary and your employer contributes 14% to OPERS. **That means nearly 24% of your salary is being invested for your future.**



We've been providing retirement security since 1935...

...And we've never failed to pay a member what they've earned. We're the largest state pension fund in Ohio, and the 12th largest public retirement system in the U.S.



You have a Choice to Make

OPERS offers you three retirement plans from which to choose: the **Traditional Pension Plan**, the **Member-Directed Plan** and the **Combined Plan**. Each plan has unique features so you can pick the one that will best help you meet your retirement goals.

What's next

You will have 180 days from your start date to choose an OPERS retirement plan. More information about plan selection will be coming soon!

Your trusted partner

If you have any questions you can call us at 1-800-222-7377 Monday through Friday from 8 a.m. to 4:30 p.m., or stop by our office to meet with a highly trained Member Services Representative.

Visit www.opers.org to get to know us more.

Ohio Public Employees
Retirement System
277 E. Town St.
Columbus, OH 43215





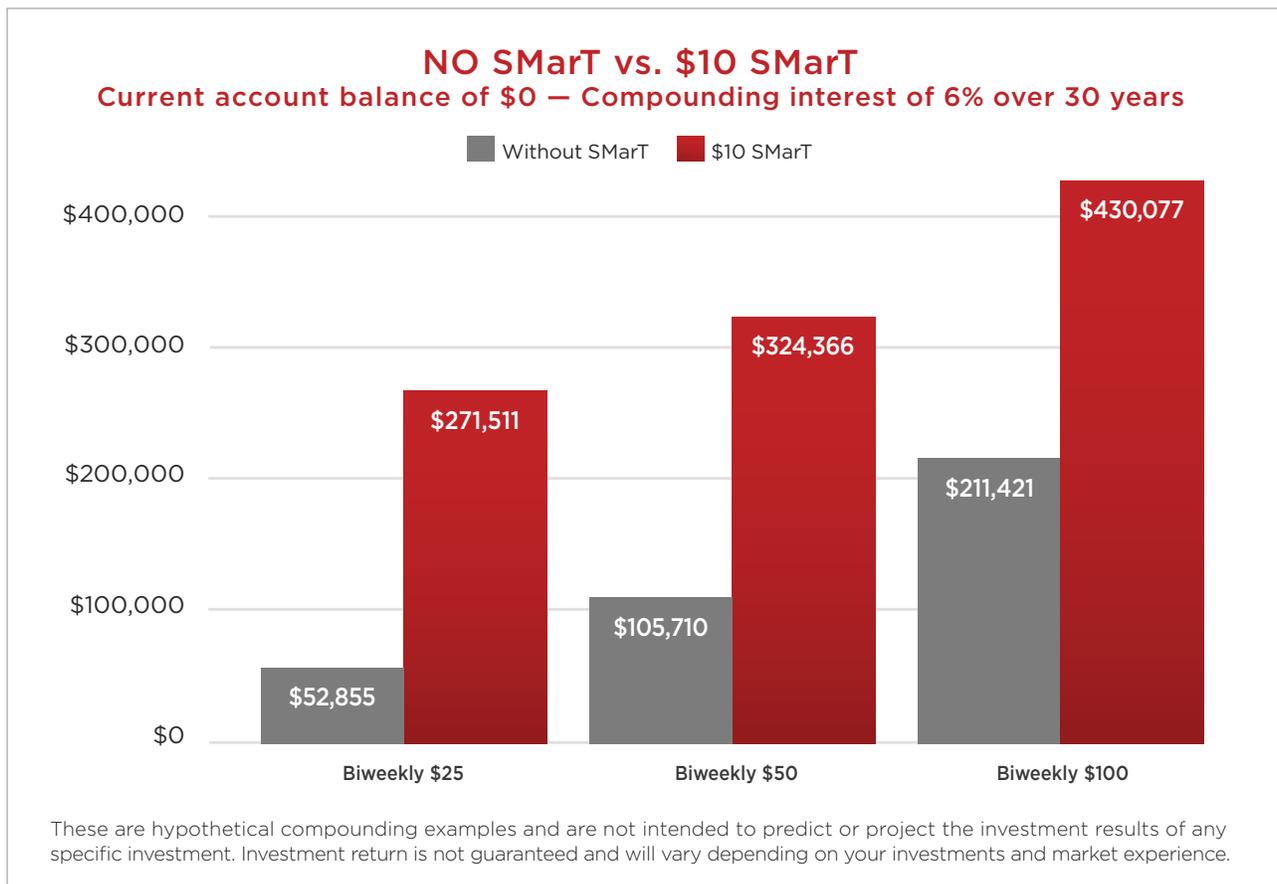
Investing for retirement is smart. Now is the time to **GET STARTED.**

Your pension and your Ohio Deferred Compensation account are here to provide you with retirement income when you stop working. Simply enroll, choose how much you want to save from each paycheck and then let your money go to work for you.

Ohio DC is a program designed to help you supplement your pension. Pensions are not designed to replace 100% of your pre-retirement income.

It's easy, tax deferred and flexible. Contributions are payroll deducted prior to federal and state tax withholding, and the contributions can be changed throughout the year.

Your money is available when you separate from your employer. There is NO penalty for withdrawals prior to age 59½.



Enroll at Ohio457.org
OR complete the reverse side.

Enroll at Ohio457.org or complete this form.



OHIO DEFERRED
COMPENSATION

Personal information (please print)

Last name First name M.I.

Address

City State ZIP

Email

Work phone Personal phone

Birthdate (mm/dd/yyyy) Male Female

Employer name

Department Paydays per year

Pension system: OPERS STRS SERS OP&F HPRS
CINCY OTHER

Social Security number (required)

I acknowledge I have read the terms and conditions.

Signature Date (mm/dd/yyyy)

Make your choice

I would like to invest in my future by enrolling in the Ohio Deferred Compensation savings plan today and to begin contributing per pay period:

\$50 \$100 Other: \$ _____

A pre-tax contribution will be invested in a LifePath Portfolio closest to the year I turn 65. My payroll contributions will start on the first available payroll date after my form is received and processed by Ohio DC.

I will be enrolled in the SMarT Plan to automatically increase my contributions each January by \$10 per pay or \$ _____ per pay. Enter \$0 per pay to decline the benefits of the SMarT Plan.

I will be enrolled in eDelivery and receive email communications.
Decline eDelivery and receive mailed paper communications.

TURN IN TODAY!

Fax: **614-222-9457**

Mail: Ohio Deferred Compensation
257 East Town Street, Suite 457
Columbus, Ohio 43215-4626

TERMS AND CONDITIONS

Upon enrolling, you will be mailed a Welcome Kit that includes the Cancellation Form, Beneficiary Form, Memorandum of Understanding and Plan Document with more detailed information on the terms and conditions outlined below:

- Your account balance will be held by Ohio Deferred Compensation in trust on behalf of your employer for the exclusive benefit of you or your beneficiaries.
- You can cancel your participation before your forms are processed by calling 877-644-6457 within seven days of the date signed on this form.
- Based on market fluctuations, the rate of return on your account could be either positive or negative. This could result in your account balance being worth less than your contributions.
- Investments have underlying expenses or management fees that will reduce the investment results. Information on these expenses can be found in the fund profiles or the respective prospectus. Call 877-644-6457 to receive the fund profile or prospectus.
- Before investing, carefully consider the fund's investment objectives, risks, charges, and expenses. The fund prospectus or profile contains this and other important information. Read the prospectus or profile carefully before investing.
- At any time, you may change the amount you contribute or the allocation of future investment options.
- The Internal Revenue Service imposes rules that limit the times you can make changes or receive withdrawals from Ohio DC.

- You may withdraw funds from Ohio DC only upon:
 - Ending your employment (including termination, retirement, or death)
 - An unforeseeable emergency (as defined by Section 457 of the IRC)
 - A Small Balance Distribution (see Plan Document for eligibility)
- An unforeseeable emergency is defined by the IRS as a severe financial hardship. Please see the Plan Document for specific details. Purchasing a home, carrying credit card debt and sending your children to college are not qualifying events.
- Withdrawals may begin after ending your employment and Ohio DC's receipt of your employer's verification that employment ended, the final contribution and the Withdrawal Election form.
- Distributions must satisfy certain minimum requirements after reaching the age required by the IRS.
- The funds in your account could be eligible for rollover into another eligible retirement plan upon ending your employment.
- Your participation in Ohio DC is for long-term retirement savings. You should maintain separate, available emergency funds to cover day-to-day, unanticipated financial shortages.

Neither Nationwide nor plan representatives can offer investment, legal or tax advice. Please contact your investment, legal or tax advisor for such services. Investing involves market risk, including possible loss of principal.

Account Executives are Registered Representatives of Nationwide Investment Services Corporation, member FINRA, Columbus, Ohio. Information provided by Account Executives is for educational purposes only and is not intended as tax, legal or investment advice.

OHIO EXPOSITIONS COMMISSION RESPONSE TO ACTIVE AGGRESSOR POLICY AND PROCEDURES

PURPOSE

To provide Ohio Expositions Commission employees with clear, concise instructions on how to respond to an active aggressor or active threat within the agency or within any of the Ohio Expositions Commission's facilities.

POLICY STATEMENT

The Ohio Expositions Commission recognizes that the safety of its employees, contractors, customers and other visitors in the agency is paramount. The Ohio Expositions Commission will provide this policy to all current employees when it is published and when subsequent changes are made to it. New employees will receive this policy during new employee orientation. All Ohio Expositions Commission employees are required to complete the online *Active Aggressor Response* Training within thirty (30) days of their hire date or within thirty (30) days of the effective of this policy. The *Active Aggressor Response Training*, developed by the Ohio Department of Public Safety, is available online via the Learning Management module in myOhio.gov. Annual drills will be conducted to ensure that employees are aware of what to do in case of an active threat.

APPLICABILITY

This policy applies to all Ohio Expositions Commission employees and contractors working in any Ohio Expositions Commission facilities.

DEFINITIONS

- A. **Active Aggressor**. An individual who is actively engaged in killing or attempting to kill people in a confined or populated area or attempting to cause harm to as many people as possible. In most cases, active aggressors use firearms and there is no pattern or method to their selection of victims. The intent of most active aggressors is to kill individuals as quickly as possible.
- B. **Active Threat**. An active threat is defined as any incident, which by its deliberate nature, creates an immediate threat or presents an imminent danger to human life. Active threats can take many forms and may or may not have the intent of killing targeted people as quickly as possible. Traditional law enforcement responses to active threats will include the concept of "surround and contain" in order to minimize the number of victims. In order

to save lives, the law enforcement agency having jurisdiction will initiate an immediate response.

C. **Threat Types**. Threat types include:

- Active shooter
- Hostage/barricaded subject
- Sniper
- Suicide/homicide bomber
- Known or suspected terrorist threat (biological/chemical threat)

PROCEDURES

In the event of an active aggressor or active threat incident within any Ohio Expositions Commission facility, the primary mission of the agency is to take all necessary steps to immediately contain and stop any ongoing threat to human life. This mission will be accomplished through a specific response by the first law enforcement officer(s) to arrive on the scene, but there are additional things that may need to occur before, during and/or after the law enforcement response.

A. Upon discovery of an active aggressor or active threat situation, when safe to do so, anyone may notify law enforcement (9-1-1) and the Ohio State Highway Patrol at 614-752-6007, if possible. OSHP is the primary law enforcement agency at the Ohio Expo Center. They will be the law enforcement agency responding. In Ohio Expositions Commission facilities where an employee announcement system is available, an “Active Aggressor” broadcast will be made immediately following the discovery of the threat, describing the threat and last known location of the aggressor. The same information will be disseminated through the Ohio Expositions Commission’s employee notification system, eNotify, or via calls, emails, radios and text messages. If available, employees should assist in directing employees under their management to either evacuate or shelter-in-place. Employees should consider finding and taking with them an object that may be used to defend themselves (i.e., an improvised weapon). Employees should ensure that any member of the public (non-employee) is permitted to accompany the employee(s) to an identified safe zone. When possible and appropriate, OSHP will go direct to the aggressor.

During an active aggressor or active threat situation, Ohio Expositions Commission employees must also consider the following actions.

1. **Run** – If there is an acceptable path, attempt to evacuate the premises. Personnel should be instructed to:

- Call OSHP at 614-752-6007 and 9-1-1 when safe to do so
- Have an escape route and plan in mind that takes them as far away from the attacker(s) as possible
- Evacuate regardless of whether others agree to follow or remain
- Leave belongings behind
- Help others escape if possible
- Alert individuals who are entering an area where the active aggressor may be
- Keep hands visible for responding officers
- Follow instructions of any law enforcement officer
- Do not attempt to move wounded people

If evacuation is not possible, proceed immediately to the area designated (on a case-by-case basis) as a “shelter” and contact OSHP at 614-466-2660 or 9-1-1. Provide the following information to the OSHP Dispatcher or 9-1-1 operator: When safe to do so, proceed to your designated Tornado Shelter to check in with management who will need to account for all employees.

- Location and description of the offender. Provide as detailed information as possible (e.g., race, gender, hair color, build, tattoos, clothing, etc.) and the last known location of the aggressor.
- Number of attackers and weapons (e.g., rifles, handguns, knives, explosives, etc.).
- Location and condition of victim(s).

2. **Hide** – Remain in place until contacted by law enforcement or circumstances dictate otherwise.

- If practical, allow any non-employees access to the safe zone
- Your hiding place should be out of the active aggressor’s view. Provide protection if gun shots are fired in your direction (e.g., locating into a restroom or office and locking the door, staying as low as possible and remaining quiet and still) and not trapping or restricting yourself from movement.
- Lock the door, if possible, and have a person designated to ensure the door is locked once everyone is in the safe zone.
- Block the doorway with heavy furniture if available
- Silence your cell phone
- Turn off any source of noise (e.g., radio, music player, etc.)
- Hide behind large items (e.g., cabinets, desks, doors, etc.)
- Remain quiet
- Remain in place and stay hidden until you have determined that it is safe. If someone approaches the door and identifies themselves as a law enforcement

officer, do not be tricked into talking back. Remain silent until you are able to confirm the authenticity of the claim.

3. **Fight** – Take action against the aggressor. As a last resort, and only when your life is in imminent danger, attempt to do the following:

- Disrupt and/or incapacitate the active aggressor by acting as aggressively as possible against him/her
- Use improvised weapons
- Scream/yell
- Commit to your actions and follow through

4. **When evacuation and hiding are not possible, do the following:**

- Remain calm
- If possible, call OSHP at 614-752-6007 or 9-1-1 and alert them of the aggressor's location
- If you are unable to speak, leave the line open and allow the dispatcher to listen
- Mute your phone to prevent alerting the aggressor

B. **Law Enforcement Response**: The goal of law enforcement is to locate, isolate and neutralize the aggressor as quickly as possible to prevent additional injuries or fatalities. In doing so, employees should anticipate that officers will arrive in force and will be armed with rifles, shotguns and handguns and could be wearing exterior body armor. Officers should be displaying some portion of the uniform or tactical gear identifying them as law enforcement officers.

Initially, the site of a violent incident will be secured as a crime scene. The first wave of officers will not stop to assist persons in need. A later group of officers and/or other emergency personnel will provide treatment and assistance.

C. **Reaction to Law Enforcement**: When law enforcement is present, it is important to:

1. Remain calm and follow instructions from officers
2. Put down any items in your hands and raise your arms high
3. Keep hands visible at all times and avoid sudden movements toward officers
4. Avoid screaming, yelling or shouting
5. If asked questions by the officer, provide the information
6. Do not stop officers to ask questions; just follow their directions

7. Do not leave the scene until instructed to do so except as provided in section A above

D. **“All-Clear” Issued**: The “all clear” announcement will be made when the situation has been contained and the scene is declared safe by law enforcement officials.

E. **Employer Response**: The health and well-being of Ohio Expositions Commission employees, contractors and patrons is the priority. As soon as possible after law enforcement has relinquished command and control of the scene, Ohio Expositions Commission’s senior management, in conjunction with the facility administrator, the agency’s human resources office and/or the Department of Administrative Services (DAS), will develop information strategies to address questions related to the event from employees and their families.

1. Effective coordination with the media and timely dissemination of information can help reduce media pressure on those who are the most vulnerable. Only those Ohio Expositions Commission agency staff authorized to speak on behalf of the agency or facility shall interact with the media and public via social media. The Ohio Expositions Commission’s Marketing/Public Relations Office will coordinate media responses.

2. When an incident occurs, it will be important to bring in trained crisis response professionals to provide any necessary physical, emotional and psychological support as soon as possible. The Ohio Expositions Commission’s Human Resources Department will coordinate the identification of and communication with the Ohio Employee Assistance Program (OEAP) and other trained crisis response professionals and coordinate follow-up.

F. Employees with questions about this policy should direct them to the Ohio Expositions Commission’s H.R. Department.

G. **IMPLEMENTATION**

This policy becomes effective immediately and rescinds previous policies, directives and memoranda on the subject.

Effective Date: May 22, 2017

Updated: January 1, 2025



January 1, 2025

Dear Employee:

If you are involved in a motor vehicle accident or crash involving property or equipment owned by the Ohio Expositions Commission, you are responsible for notifying management within 24 hours of the occurrence.

For purposes of this memorandum, management means your immediate supervisor, or if your supervisor is not on duty, the supervisor who is on duty at the time of the incident. Failure to make the required notification may result in discipline.

Employee injuries, lost productivity and liability costs, resulting from accidents and crashes involving state vehicles, is a serious and growing problem. Your first-hand knowledge of a crash is vital in preventing future employee injuries and related losses.

If you have any questions, please contact the Human Resources Department.





State of Ohio Administrative Policy

No: HR-27

State Human Resources Division

Effective:

September 1, 2023

Barbara Warner Workplace
Domestic Violence

Issued By:

Kathleen C. Madden, Director

I. Purpose

The purpose of this policy is to provide guidance for management and employees to raise awareness of **Domestic Violence** and reduce its impact on the workplace. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all state agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies).

III. Policy

The State of Ohio is committed to promoting the health and safety of its employees and to making a significant and continual difference toward ending Domestic Violence. Nothing in this policy is intended to reduce or modify the effect of existing Department of Administrative Services (DAS) policies on the prevention of violence in the workplace. Agencies should continue to consider such policies when acts of violence, including Domestic Violence, occur in the workplace.

At a minimum, each Agency will maintain, publish, and post a list of resources for Survivors and Perpetrators of Domestic Violence included in Attachment 1 of this policy in all employee break rooms or comparable visible locations and on the Agency's usual and customary means of electronic publication (e.g., Agency intranet, Agency policy site, etc.). Agencies are encouraged to continue posting and maintaining cardholders/resource cards in all Agency restrooms. Agencies should use the contact information listed below in Section VII to obtain additional resource cards as needed.

Each Agency shall designate a point of contact within their human resources office who will be responsible for monitoring the availability of resources at the Agency and who can provide consultation to employees in need of resources and information.

- A. **Incidents of Domestic Violence:** Employees in immediate danger should call 911. To the extent allowed by law, Agencies shall cooperate with any law enforcement investigation regarding Domestic Violence involving a state employee as either a ***Victim or Survivor***, or ***Batterer, Perpetrator or Abuser*** of Domestic Violence. Domestic Violence incidents that occur while on State property, while conducting State business, or during State-sponsored social events shall be reported as soon as safely possible to appropriate law enforcement personnel and/or to Agency human resources office personnel pursuant to applicable procedures concerning the reporting of workplace incidents. If law enforcement will be notified, every effort shall be made to consult with, or at least notify those that are directly impacted as victims of Domestic Violence before law enforcement is contacted.
- B. **Non-Discriminatory and Responsive Personnel Policies**
1. The State of Ohio is committed to working with employees to prevent abuse, harassment, and discrimination that may result from Domestic Violence. Agencies are prohibited from discriminating against Victims or Survivors of Domestic Violence based on any assumptions or knowledge of the Victim's or Survivor's current or past Domestic Violence incidents.
 2. In cases where the Batterer, Perpetrator, or Abuser and the Victim or Survivor are employed at the same work site or are reasonably anticipated to have interaction as a result of their state employment, an Agency should give appropriate and reasonable consideration to a Victim's or Survivor's request for a modification of duties, a reassignment to another position or work shift, or a relocation to separate worksites. The Victim or Survivor should be consulted in making decisions about such modifications, reassignments, and relocations, and should not be penalized involuntarily by this process. Such decisions may impact the rights of bargaining unit members, and in such cases, Agencies should refer to the applicable collective bargaining agreement and work with the Office of Collective Bargaining (OCB) and/or an appropriate union representative as needed.
 3. All employees must adhere to state and Agency time and attendance policies, but Agencies are strongly encouraged to work within those policies in providing support to Victims or Survivors of Domestic Violence. If an employee needs to be absent from work due to current or past Domestic Violence incidents, the employee, the human resources office, and the employee's supervisor should first explore whether paid leave options can be used to accommodate the absence before considering unpaid options. Depending on the employee's circumstances, and subject to applicable collective bargaining agreements, such options may include:
 - a) Available Leave Balances. Upon Agency approval, state employees may use sick leave, personal leave, vacation leave, or compensatory time to cover absences from work due to current or past Domestic Violence incidents.
 - b) Civic Duty Leave. State employees are entitled to paid leave when subpoenaed to appear before any court, commission, board, or other legally constituted body authorized to compel the attendance of a witness. This leave does not apply if the employee is a party to the action but would apply in criminal cases where the state

is a party to the action on behalf of the Victim or Survivor. The alleged Batterer would be considered a party to the action and would be ineligible for this leave.

- c) Donated Leave. State employees are eligible to receive donated leave when the employee, or a member of the employee's immediate family, has a serious illness or injury, and, if eligible, the employee has applied for any paid leave, Workers' Compensation, or other benefits program. Employees should work with their human resources office to discuss eligibility and use of donated leave.
- d) Family Medical Leave. The Family and Medical Leave Act (FMLA) allows eligible state employees to take up to twelve (12) work weeks of leave per twelve (12) month period to care for themselves or for a spouse, child, or parent with a serious health condition. In accordance with the state's FMLA policy, employees must exhaust all accrued sick, vacation, and personal leave balances, as appropriate, prior to going on unpaid leave.
- e) Flexible Work Hours. Some Agencies allow employees to use flexible work schedules. Employees should contact their human resources office to determine what is available to them.
- f) Unpaid Leave. If no paid leave options are available, an Agency may grant an unpaid leave of absence to the employee for personal reasons. The use of such leave will be governed by Ohio Administrative Code (OAC) section 123:1-34-01 and/or any applicable collective bargaining agreements.

C. **Performance-Related Issues for Survivor or Victim:** State employees **may not** be penalized or disciplined **solely** for being a Victim or Survivor of Domestic Violence, although Agencies retain the right to discipline employees for cause.

1. Victims or Survivors of Domestic Violence may have performance-related issues that include, but are not limited to, chronic absenteeism, exhaustion from sleep deprivation, or an inability to concentrate as a result of the violence. Human resources office personnel and supervisors should be mindful that the effects of Domestic Violence are very serious and may take extended periods of time to fully address.
2. Where possible, Agencies are encouraged to work with the Victim or Survivor of Domestic Violence to mitigate performance-related issues while allowing time for the employee to achieve resolution for the Domestic Violence that they are experiencing before conducting a corrective counseling or imposing discipline.
3. If an Agency is considering a corrective counseling or discipline and the employee discloses that the performance-related issues are caused by Domestic Violence, the Agency should ordinarily refer the employee to the **Ohio Employee Assistance Program (Ohio EAP)** and/or consult additional resources within the Agency's human resources and labor relations offices and the Barbara Warner Workplace Domestic Violence Committee. Ohio EAP can refer the employee to community resources—the role of which is to support the person experiencing Domestic Violence in securing a resolution that works for their unique situation. Depending upon the unique circumstances of the situation, a participation agreement may be used to allow an Agency to hold any discipline in abeyance, while ensuring the employee is connected with the appropriate community resources. See the Resources section below for information on how to contact Ohio EAP.

- D. **Discipline for a Batterer, Perpetrator, or Abuser:** The State of Ohio is committed to providing a workplace in which the perpetration of Domestic Violence is neither tolerated nor excused. Employees who are Perpetrators of Domestic Violence are encouraged to access services through the Ohio EAP.
1. Both the decision to enter into an Ohio EAP Participation Agreement with the Perpetrator and the decision to hold any disciplinary action in abeyance during the course of Ohio EAP services are made at the discretion of the Agency.
 2. Any state employee who commits acts or threats of Domestic Violence while on State property, while conducting State business, or during State sponsored social events, or uses State resources (e.g., State vehicle, work time, workplace telephones, cellular telephones, facsimile machines, mail, computers, land or electronic mail, telephone answering machines, other electronic or computer technology, and/or other means) to commit acts or threats of Domestic Violence may be in violation of the State policies on the use of State telephones, Internet, E-mail, and other IT resources and any other applicable policies. Employees found to have violated these policies may be subject to corrective or disciplinary action, up to and including termination, as well as criminal prosecution by the appropriate law enforcement agency.
 3. Nothing in this policy should be read to contradict or challenge a judicial court order such as a **Protection Order** or the terms of an employee's probation. Agencies should work to accommodate such orders, including working with Agency legal counsel and Agency security on enforcement of the Protection Order.
 4. Pursuant to ORC 2919.25, individuals who commit acts of Domestic Violence may be charged with a misdemeanor or a felony. A conviction of these charges may subject the individual to additional discipline or removal under ORC 124.34 and/or applicable Agency work rules and collective bargaining agreements. Additionally, pursuant to federal law, a person convicted of a Domestic Violence-related crime or subject to an order of protection, under certain circumstances, forfeits the right to legally possess a firearm. Employees who are authorized to carry a firearm as part of their job responsibilities are required to notify their Agency if they are convicted of a Domestic Violence-related crime and/or served with an order of protection.
- E. **Confidentiality:** Agencies should take steps to respect the confidentiality and privacy of the reporting employee and the Victim or Survivor. Agencies should only inform others to the extent necessary to protect safety, or when otherwise required by law and/or applicable collective bargaining agreements. Whenever practical, advance notice will be given to the reporting employee and the Victim or Survivor if the Agency needs to inform others about the Domestic Violence situation.
- F. **Training:** The State of Ohio recognizes that it is important for all employees of Agencies to receive training on this policy as well as the risk factors associated with Domestic Violence and the impact of Domestic Violence on the workplace. Two versions of a web-based training course are available through DAS, one specific to managers/supervisors and one for all other state employees.

1. Managers and supervisors of all Agencies shall be required to complete the web-based training course. Any current manager or supervisor must complete the web-based training within one hundred and eighty (180) days of the effective date of this policy. Any manager or supervisor hired or promoted after the effective date of this policy is required to complete the web-based training course within ninety (90) days of hire or promotion.
2. Appointing Authorities are encouraged to require all other state employees to complete the employee web-based training course.

IV. Definitions

- A. Batterer, Perpetrator, or Abuser. The individual who commits an act of Domestic Violence.
- B. Domestic Violence. A pattern of violent and coercive behaviors used by one intimate partner against another to control and maintain power over that person. Intimate partners include family or household members, romantic partners that are not legal family or household members, spouses, former spouses, persons living together as spouses, persons who have a child in common (regardless of whether they have been married or have lived together at any time), and adult persons related by blood or marriage. Domestic Violence may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking, and economic control, and may occur among people of all backgrounds in these relationships. For purposes of this policy, where reference is made to Domestic Violence, Dating Violence should be given the same consideration. Dating violence is defined as the physical, sexual, psychological, or emotional aggression within a dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner.
- C. Ohio Employee Assistance Program. A program intended to help state employees deal with personal problems that might adversely impact their work performance, health, and well-being. Employee Assistance Programs generally include assessment, short-term counseling, and referral services for employees and their family members.
- D. Protection Order. An order issued by a court designed to protect a person from harm or harassment. In a domestic dispute, Protection Orders are typically issued to prevent one party from approaching another, often within a specific distance.
- E. Victims or Survivors. Individuals who are the subject of an act of Domestic Violence. Those who have escaped violent relationships often are referred to as survivors rather than victims.

V. Authority

OAC 123:1-34-01, 123:1-45-01, 123:1-47-01(B)
Executive Order 2019-09D

VI. Resources

Document Name	Location
Attachment 1 – Domestic Violence Resources poster	Below on the last page of this policy
Additional Domestic Violence Resources	https://das.ohio.gov/employee-relations/policies/workplace-domestic-violence-policy
Executive Order 2019-09D: <i>Workplace Domestic Violence Policy in State Government</i> , Office of the Governor, State of Ohio, 2019	https://governor.ohio.gov/media/executive-orders
Ohio Employee Assistance Program (OEAP)	(800) 221-6327 https://ohio.gov/government/resources/ohio-employee-assistance-program

VII. Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy
 Office of Collective Bargaining
 Ohio Department of Administrative Services
 4200 Surface Road
 Columbus, Ohio 43228

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
04/16/2008	Original policy.
07/23/2014	Revised to comply with new format.
10/21/2019	Revised to comply with Executive Order 2019-09D.
07/26/2021	Reissued for housekeeping.
09/01/2023	Housekeeping changes made and policy reissued in new statewide policy template.

Attachment 1



Domestic Violence Can Impact Anyone

At work
At home
Anywhere

RESOURCES

<p>EMERGENCY 911</p> <p>National Domestic Violence Hotline 800-799-SAFE(7233) thehotline.org</p> <p>Ohio Domestic Violence Network 800-934-9840 Go to odvn.org for a county listing of 24-hour emergency crisis numbers and shelter providers.</p> <p>National Teen Dating Abuse Hotline 866-331-9474 loveisrespect.org</p>	<p>The Center for Family Safety and Healing 614-722-8200 familysafetyandhealing.org</p> <p>Ohio Employee Assistance Program 800-221-6327 ohio.gov/eap</p> <p>Optum Behavioral Solutions 800-852-1091 24-hour</p> <p>Buckeye Region Anti-Violence Organization (LGBTQI) 866-862-7286 bravo-ohio.org</p>	<p>OhioHopes (Elderly) 800-411-2267 For automated referrals to a range of elder abuse resources or ohiohopes.org</p> <p>Automated Child Abuse Reporting Directory 855-642-4453 Or, go to oncac.org/resources/resource-map-of-ohio/ for a listing of children's services by county.</p> <p>Ohio Sexual Violence 24-Hour Helpline 844-OHIO-HELP (844-644-6435)</p>
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State of Ohio Administrative Policy

No: VF-01
Motor Vehicle Fleet

Effective:
November 6, 2023

Employee's Use of Employer
Provided Vehicles

Issued By:

Kathleen C. Madden, Director

I. Purpose

The purpose of this policy is to establish a statewide, uniform policy on the use of state motor vehicles. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This statewide employee's use of employer provided vehicles policy ("Policy") applies to all employees operating a state fleet vehicle.

III. Policy

The following are parameters in which state employees or non-state employees defined as Authorized Operators in Ohio Department of Administrative Services Policy ORM-02, State Self-Insured Motor Vehicle Liability and Self-Insured Vehicle Damage Program may use a state motor vehicle.

A. **Authorized Use**

1. Travel between the place where the state motor vehicle is dispatched and the place where official state business is performed.
2. When on ***Paid Travel Status*** between the place of state business and the place of temporary lodging.
3. When on Paid Travel Status and not within reasonable walking distance, between either of the above places and places to obtain meals; places to obtain medical assistance (including drugstore); places of worship; cleaning establishments and similar places required to sustain the health, welfare or continued efficient

performance of the driver, exclusive of places of entertainment.

4. Transport of other officers, employees, or guests of the state when they are on official state business.
5. Transport of consultants, contractors, or commercial firm representatives when such transport is in the direct interest of the state.
6. Travel between the place of dispatch or place of performance of state business to your personal residence when specifically authorized by the proper authority in your agency.

B. Unauthorized Use

1. Any use for personal purpose, other than commuting, which has been authorized as specified in Authorized Use.
2. Travel or tasks that are beyond the vehicle's rated capability.
3. Transport of family, friends, associates or other persons who are not employees of the state or serving the interest of the state (i.e. hitchhikers).
4. Transport of cargo that has no relation to the performance of official state business.
5. Transports of acids, explosives, weapons, ammunition, or highly flammable material, except by specific authorization, or in an emergency situation.
6. Transport of any item or equipment projecting from the side, front, or rear of the vehicle in a way that constitutes an obstruction to safe driving, or a hazard to pedestrians or to other vehicles.
7. Extending the length of time the vehicle is in your possession beyond that which is required to complete the official purpose of the trip.
8. Operating a state motor vehicle while under the influence of drugs that could impair driving.
9. Operating a state motor vehicle after the consumption of alcohol.
10. **Texting** while operating a state motor vehicle.

C. Responsibilities

1. Heads of all departments, offices, agencies, commissions, boards, bureaus, and institutions are responsible for implementation of this policy.
2. Unauthorized use of state motor vehicles may result in disciplinary action from the operator's agency, up to and including termination.
3. The driver shall comply with all applicable state and local traffic and parking laws. In the event of a violation of such state and local traffic and parking laws, the driver shall be personally liable for any criminal or civil penalty incurred. All drivers shall be required to notify their supervisor of any tickets as soon after receipt as possible and prior to the payment due date or scheduled court date. Such driver shall also provide their supervisor proof that (a) such ticket has been paid within 10 working days after the payment of such ticket or (b) in the case of appeal, the court's final decision.
4. The driver shall possess a valid driver's license from the state in which he/she lives or

in the case of a suspended or revoked license, special work privileges must be awarded by a court and copies of the order provided to the Office of Risk Management (ORM). In the case of a suspended or revoked license, the driver shall not operate a state motor vehicle until such privileges have been acknowledged by ORM.

5. The driver shall be responsible for checking the state motor vehicle before operating to ensure that the vehicle lights, turn signals, brake lights and other safety equipment is functional on the state motor vehicle. If the driver finds any of this equipment is not functioning properly, the driver shall report malfunctions to his or her supervisor as soon as possible in order to arrange for repairs.

D. Documents to be Kept in State Motor Vehicles

1. A copy of this statewide administrative policy shall be placed and kept in all state motor vehicles. Ohio law requires you to show proof of financial responsibility.
2. Each state vehicle shall keep a copy of the State's Certificate of Self- Insurance in the glove box of the vehicle for proof of financial responsibility. You may download copies of the Certificate of Self-insurance from the ORM website at <https://das.ohio.gov/property-services/risk-management/risk-management>

IV. Definitions

- A. Paid Travel Status. As defined in OBM Travel Rule 126-1-02, the designation given to a state agent who is traveling on behalf of the state and is in an active pay status.
- B. Texting. As defined in ORC 4511.204 (A), using a handheld electronic wireless communications device to write, send, or read a text-based communication.

V. Authority

R.C. 125.832

VI. Resources

None

VII. Inquiries

Direct inquiries about this policy to:

Office of Fleet Management
General Services Division
Ohio Department of Administrative Services
4200 Surface Road, Columbus, Ohio 43228
614-466-6607 | dasfleet@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
09/01/2009	Original policy, published as GS-D-02.
07/13/2015	Reformatted and renumbered, updated sections 1.0, 2.1, 2.2 and 2.3, and addition of Appendix A - Definitions.
07/13/2016	Scheduled policy review.
02/21/2020	Reformatted, updated contact information in section 5.0 and links in sections 2.5.1 and Appendix A OBM Travel Rule 126-1-02.
11/6/2023	Updated to new policy template.



State of Ohio Administrative Policy

No: ORM-02
Office of Risk Management

Effective:
May 21, 2024

State Self-Insured Motor Vehicle
Liability and Self-Insured
Vehicle Damage Program

Issued By:

Kathleen C. Madden, Director

I. Purpose

Pursuant to Sections 9.83 and 9.822 of the Ohio Revised Code (ORC), the Department of Administrative Services, Legal Services Division, Office of Risk Management (ORM), operates the State of Ohio's Self-Insured Motor Vehicle Liability program (Liability Program) and Self-Insured Vehicle Damage Program (Damage Program). The purpose of this policy is to detail the specifics of these two programs. This policy does not constitute a policy of insurance. The first occurrence of a defined term in the policy is in bold, italic type.

II. Scope

The Liability Program covers liability claims made against the **State** as a result of the operation of **Agency-owned Vehicles** during the course of official State business.

The Damage Program has been established to cover the costs associated with repair or replacement of **Covered Vehicles** that have been damaged by fire, windstorm, or other accidents and perils.

Copies of this policy should be posted and distributed to all employees, officers, and **Authorized Operators** who may operate an Agency-owned Vehicle or Covered Vehicle in the scope of their employment or official duties.

III. Policy

- A. **Liability Program Terms & Conditions:** ORM will pay liability claims and judgments properly made and rendered against the State resulting from the operation of an Agency-owned Vehicle, provided the operation was during the course of legitimate State business, as authorized by the **Agency**.
1. Limits of Coverage: The Liability Program provides a combined single limit for bodily injury and property damage of \$2,000,000 per accident.
 2. Extensions of Coverage and Endorsements:
 - a) Leased/Rented **Vehicles:** Coverage is automatically extended for commercially leased or rented Vehicles and equipment at no additional charge. Certificates of self-insurance can be requested via the State of Ohio Risk Management Portal, which is accessible through <http://DAS.Ohio.gov/riskmanagement>.
 - b) Authorized Operators: Coverage for non-State employees may be provided, by special endorsement, for persons who operate Agency-owned Vehicles as authorized by the Agency, while serving the interest of the State. Endorsements can be requested via the State of Ohio Risk Management Portal, which is accessible through <http://DAS.Ohio.gov/riskmanagement>. No coverage shall be afforded to accidents involving non-State employees unless the endorsement was approved and issued prior to the time of the accident.
 3. Premium Allocation: Pursuant to ORC 9.823, a premium allocation, which may periodically change, will be charged to each participating Agency. Collected premiums shall be held in the risk management reserve fund for the payment of potential liability claims, expenses, fees, damages, and ORM administrative costs.
 4. Territory: Self-insurance coverage extends to losses occurring in the United States and Canada.
 5. Termination of Self-Insurance Coverage: Failure of an Agency to pay a premium within 60 days of the date of the invoice may result in a written notice of cancellation of self-insurance coverage. Cancellation of coverage will become effective 10 days after mailing of the notice.
 6. Unauthorized Use of Agency-owned Vehicles
 - a) Agency-owned Vehicles are authorized for use in the performance of all essential travel duties related to the completion of State business. They are not authorized for personal trips unrelated to the State business for which they were assigned or to attempt tasks which are beyond the vehicle's capabilities.
 - b) When in doubt, the decision must be based on whether the Agency-owned Vehicle's use will serve the interest of the State, rather than the **Driver**. Caution and discretion must be used at all times. For a listing of authorized and unauthorized use of State-owned Vehicles refer to Ohio Administrative Policy VF-01/Employee's Use of Employer Provided Vehicles (see Section VI).
 - c) If facts indicate an employee's, officer's, or Authorized Operator's use of the Vehicle may not have been authorized by the Agency requesting coverage for an Authorized

Operator, the Agency must provide ORM with immediate notification and the facts surrounding the incident. It is incumbent upon each Agency to pursue unauthorized operation charges pursuant to ORC 124.71. If the Agency fails to file charges, ORM reserves the right to do so.

- d) Any unauthorized operation of an Agency-owned Vehicle may result in immediate disciplinary action from the Driver's Agency and/or termination of coverage under the Liability Program by ORM. The Agency shall immediately notify ORM of any such disciplinary action.
7. Cooperation with Investigation: In the event of an accident, the Agency, officers, and personnel shall fully cooperate with ORM, Agency legal counsel, and the Attorney General during the claim process. Failure to cooperate may result in a denial of coverage under the Liability Program.
 8. Exclusions: The below lists instances in which the Liability Program does not provide coverage.
 - a) To any Driver who is convicted of violating ORC 124.71, Unauthorized Operation of Motor Vehicles.
 - b) To any Driver who is operating, using, or responsible for a personally owned, leased, or rented vehicle. If an employee drives his/her personal Vehicle for State business, the employee's personal auto insurance is primary, and the Agency assumes all excess and vicarious liability.
 - c) To bodily injury or property damage caused intentionally by the Driver or at the direction of the Agency.
 - d) To liability assumed by the Agency under any other contract or agreement.
 - e) To any obligation for which the Agency or ORM may be held liable under any workers' compensation, unemployment compensation, disability benefits law, or under any similar law.
 - f) To property damage, injury, or destruction to:
 - (i) Property owned by, in the charge of, or being transported by the Agency, or;
 - (ii) Property rented to or in the care, custody, or control of the Agency, or over which the Agency is for any purpose exercising physical control. However, such property may be covered by the statewide property program and/or the self-insured tort liability program and should be reported to ORM. The statewide property program is annually renewed and any questions regarding coverage may be directed to ORM. The self-insured tort liability program is detailed in Ohio Administrative Policy ORM-01/Tort Liability Self-Insurance (see Section VI).
 - (iii) To acts of war, whether declared by Congress, civil war, insurrection, rebellion or revolution, or any act or condition incidental to any of the foregoing. This exclusion does not apply to the use of Agency-owned Vehicles for response to a declaration of a state of emergency issued by the Governor.
 - g) To all aircraft including UAVs and aerostats for which commercial insurance has been purchased.

- h) To any Vehicle, including watercraft, if the Federal Tort Claims Act required the U.S. Attorney General to defend the operator in any civil action or proceeding that may be brought due to its use.
 - i) To any Agency whose Driver is operating under license suspension or revocation, unless special work privileges awarded by a court are provided to and approved by ORM. If approval is not received from ORM and the Agency permits the Driver to operate an Agency-owned Vehicle, liability will be transferred to the Agency.
 - j) To any Agency whose Driver is driving without a valid driver's license, regardless of whether the Agency knew that the Driver did not possess a valid driver's license. Payment of any court judgment or settlement agreement will be the responsibility of the Agency.
9. Suspension of Coverage of Drivers: ORM reserves the right to suspend coverage if the Driver's actions present a threat to the motoring public. The duration of the coverage suspension will depend on the specific facts surrounding the incident up to and including the possibility of permanent termination of coverage.
10. **Driver Abstract** Reviews
- a) ORM shall conduct reviews of all active employees' driving records at least once per fiscal year to ensure they are eligible for coverage. Agencies may opt to have reviews done monthly or quarterly to support loss control and mitigate the risk to the motoring public. A Driver Abstract will be obtained from the Ohio BMV, or from the state of issuance if the employee has an out of state license. Employees with an out of state license will be required to sign a disclosure and authorization form. If the employee fails to provide the form, the employee shall be uninsurable under the Liability Program and shall not drive any Vehicle in the course of State business, regardless of whether the Vehicle is Agency-owned. Accidents previously reported to ORM involving the Driver's operation of a Covered Vehicle shall also be included in the review.
 - b) If the review of the Driver Abstract reveals that the Driver does not have a valid driver license, the Driver shall be uninsurable under the Liability Program and shall not drive any Vehicle in the course of State business, regardless of whether the Vehicle is Agency-owned. Extenuating circumstances may be considered that include court-awarded limited driving privileges or medical conditions, but do not guarantee continued coverage.
 - c) As part of the Driver Abstract review, ORM shall determine if there are **Major Moving Violations**. Multiple violations resulting from the same occurrence may be considered as separate violations. If a Driver has had 7 or more **Minor Moving Violation** convictions in the last 3 years, 2 or more Major Moving Violation convictions in the last 3 years, or a combination of more than 2 Minor Moving Violation convictions and 1 or more Major Moving Violation convictions in the last 3 years, coverage will be suspended until the driving record meets the criteria for **Moderate-Risk** or **Low-Risk**. A habitual pattern of **High-Risk** behavior evident in the

full driving history could result in a longer coverage suspension or permanent cancellation of coverage.

11. Probationary Coverage: In the event an employee has received notice of a suspension of coverage due to being classified as High-Risk, and they are required to drive for their State duties, they may request approval for probationary coverage.
 - a) To be eligible for probationary coverage, the following criteria must be met:
 - (i) This is the first time an employee has been designated High-Risk.
 - (ii) The Driver Abstract does not include the following Major Moving Violations: speeding 30+ mph over the posted limit, any violations involving alcohol or drug impairment (including reckless operation and physical control under the influence), fleeing/eluding police, felony (e.g., vehicular homicide/manslaughter).
 - (iii) No more than 2 Agency-owned Vehicle accidents (at-fault) in the last 3 years.
 - (iv) No moving violations received while operating an Agency-owned Vehicle in the last 3 years.
 - b) The employee, through their Agency HR or Fleet contact, must request probationary coverage in lieu of a coverage suspension. ORM will confirm the above criteria are met, at which point the employee must do the following:
 - (i) Complete an 8-hour remedial driving course approved by ORM and provide a certificate of course completion.
 - (ii) Sign the probationary coverage agreement confirming they understand the rules, and certifying there are no pending violations not shown on their driving record.
 - c) During the probationary coverage period, the employee's driving record will be checked every 60 days. Any additional moving violations (other than seatbelt violations) or license suspensions will result in revocation of the probationary coverage.
12. Reinstatement of Coverage: For those employees whose coverage has been suspended, ORM will review the facts of the suspension at the end of the suspension period and will determine if the employee is eligible for reinstatement. Subject to the approval of ORM, the employee must meet the following minimum conditions:
 - a) Completed review by ORM of the employee's Driver Abstract and being classified as Low- or Moderate-Risk.
 - b) Having acquired no additional moving violations while operating any Vehicle during the period of suspension of coverage.
 - c) A valid driver's license.
13. Reporting of Accidents: All accidents or occurrences arising from the operation of Agency-owned Vehicles shall be reported immediately to ORM through the State of Ohio Risk Management Portal. The Portal can be accessed from any computer or mobile device by going to the ORM website: <http://DAS.Ohio.gov/riskmanagement>.
14. Financial Responsibility: Ohio law requires you to show proof of financial responsibility. Each Agency-owned Vehicle shall keep a copy of the State's Certificate of Self-Insurance

in the glove box of the Vehicle for proof of financial responsibility. You may download copies of the Certificate of Self-Insurance from the ORM Website at: <http://DAS.Ohio.gov/riskmanagement>.

15. What To Do In Case of an Accident:
 - a) Notify the nearest State Highway Patrol post or local law enforcement agency to request that an investigation be conducted.
 - b) If there are any injuries dial 911.
 - c) Render assistance to any injured person(s) to the extent possible.
 - d) Do not discuss fault or limits of coverage.
 - e) Do not discuss the details of the accident with anyone except the investigating law enforcement officer.
 - f) Obtain names, addresses, and phone numbers of all witnesses and person(s) involved.
 - g) Obtain the name and address of the insurance company and the person(s) involved.
 - h) Notify your supervisor and/or fleet liaison as soon as possible.
 - i) Obtain the name of the responding law enforcement division and the accident report number.
16. Settlement activity and ultimate settlement authority lies with ORM.

B. **Damage Program Terms and Conditions**

1. Coverage: ORM will pay for “loss” to a Covered Vehicle or its equipment, including attached trailers, under:
 - a) Comprehensive Coverage: Damage from any cause except collision with another Vehicle or object, or overturn.
 - b) Collision Coverage: Damage caused by collision with another Vehicle or object, or Vehicle overturn.
 - c) Towing & Storage: We will pay towing and labor costs incurred when the Vehicle is disabled. Storage fees will be reimbursed provided the Agency takes the necessary action to move the Vehicle as soon as possible to avoid accumulation of unnecessary storage fees.
 - d) Rental Reimbursement: We will pay the cost of renting a replacement vehicle, provided the Agency does not have any additional Vehicles available for use. Costs will be reimbursed based on the current State contract rates, or subject to the pre-approval of ORM if a State contract is not being utilized.
 - e) ORM reserves the right to transfer the risk for physical damage to any Vehicle by purchasing a commercial insurance policy.
2. Premiums: Annual rates by class will be actuarially determined. Agencies may opt into the Damage Program by **Vehicle Class**. Premiums will be charged based on the recorded counts for each class as of the annual renewal certification. There will be no pro-rata adjustments for Vehicles coming into service or out of service during the fiscal year. However, coverage will be afforded to new Vehicles in covered classes acquired during

the fiscal year. In the event an Agency requests coverage for the first time after the beginning of the fiscal year, the premiums by class will be pro-rated for the remainder of the year.

3. Exclusions: The below lists instances in which the Damage Program does not provide coverage.
 - a) Loss due to wear and tear, freezing, mechanical or electrical breakdown, unless a collision or fire occurs as a result.
 - b) Blowouts, punctures, or other road damage to tires unless caused by a collision with another Vehicle or object, including potholes.
 - c) Contents within the Vehicle, including employee-owned personal items, or State assets, except components and features that are permanently installed parts of the Vehicle. This exclusion does not apply to law enforcement related equipment.
 - d) Loss due to the diminution of value.
4. Limit of Insurance
 - a) ORM will pay the full cost of repair, or the cost of replacement if the Vehicle is a **Total Loss** or is a total theft. Replacement cost will be determined by the current State contract pricing for the same class of Vehicle and of similar size and trim package. ORM will pay for specialty equipment if it is purchased and installed by the manufacturer or another vendor. Coverage for specialty equipment that is being purchased and installed by the Agency instead of the manufacturer or dealership is subject to review and approval by ORM. In the event the Agency wishes to upgrade the replacement Vehicle or add equipment that was not in the Total Loss Vehicle, the additional cost associated with the betterments will be the responsibility of the Agency.
 - b) In the event the Agency does not wish to replace a Vehicle that has been deemed a Total Loss, ORM will pay the actual cash value (ACV) of the Vehicle as of the date of loss. All ACV payments made to an agency are full and final.
5. Deductible: The deductible per occurrence/Vehicle is \$0.
6. Subrogation and Salvage: In the event a Covered Vehicle repair or replacement is paid through the Damage Program and there is an opportunity for full or partial recovery due to subrogation against an at-fault third party, or the Vehicle is salvaged, all recovered funds shall be deposited back into the risk reserve fund.

IV. Definitions

- A. Agency or State Agency. Pursuant to ORC 9.82(G), State Agency means every department, bureau, board, commission, office, or other organized body established by the constitution or laws of this State for the exercise of any function of State government, the general assembly, all legislative agencies, the supreme court, and the court of claims. State Agency does not include any State-supported institutions of higher education, the public employees' retirement system, the Ohio police and fire pension fund, the State teachers' retirement

system, the school employees' retirement system, the State highway patrol retirement system, or the city of Cincinnati retirement system.

- B. Agency-owned Vehicle. Any automobiles, trucks, Vehicles with auxiliary equipment, self-propelling equipment or trailers, aircraft (including unmanned aerial systems (UAS/drone) and aerostats, or watercraft which are owned, commercially leased, or rented by an Agency of the State.
- C. Authorized Operator. Any non-State person who has been approved by ORM for coverage extension under a designated agent endorsement, as specified by Section III.A.2.b.
- D. Covered Vehicle. With regard to the Damage Program section of this policy, Covered Vehicle means any Vehicle owned or leased by an Agency in a class for which the Agency has selected coverage.
- E. Driver. Any State employee, inmate, volunteer, or other Authorized Operator.
- F. Driver Abstract. The 3-year record of moving violation convictions, accident involvement reports, and other actions that result in license suspensions, revocations, or other disqualifications.
- G. High-Risk. 7 or more Minor Moving Violation convictions in the last 3 years, 2 or more Major Moving Violation convictions in the last 3 years, or a combination of more than 2 Minor Moving Violation convictions and 1 or more Major Moving Violation convictions in the last 3 years.
- H. Low-Risk. 0-4 minor moving violation convictions with no major violation convictions in the last 3 years.
- I. Major Moving Violation. Any violation with 4 or more court assessed points; leaving the scene of an accident; operating a vehicle under the influence of drugs or alcohol; racing or excessive speed (20 mph or more over the posted limit); reckless, negligent or careless driving; texting; felony homicide or manslaughter involving the use of a motor vehicle; driving under suspension or revocation; erratic lane changing/weaving; fleeing or eluding a police officer; or a violation of a statute or local ordinance where a statewide policy has been adopted restricting the specific conduct (e.g. Ohio Administrative Policy HR-47/Distracted Driving, see Section VI.).
- J. Minor Moving Violation. Any moving violation with less than 4 court assessed points that is not otherwise designated as a Major Moving Violation.
- K. Moderate-Risk. No more than 6 Minor Moving Violation convictions with no Major Moving Violation convictions in the last 3 years, or no more than 2 Minor Moving Violation convictions with 1 Major Moving Violation conviction in the last 3 years.
- L. State. Pursuant to ORC 9.82, State means the state of Ohio, including, but not limited to, the general assembly, the supreme court, the offices of all elected State officers, and all departments, boards, offices, commissions, agencies, institutions, and other instrumentalities of the state of Ohio. State does not include political subdivisions.
- M. Total Loss. A Vehicle is considered a Total Loss when the cost of repair is greater than or equal to the actual cash value at the time of loss, plus the salvage value of the Vehicle.
- N. Vehicle. Pursuant to ORC 9.85, includes automobiles, trucks, motor vehicles with auxiliary equipment, self-propelling equipment or trailers, aircraft, or watercraft.
- O. Vehicle Classes

1. 310-Passenger Vehicles and Light Trucks – Includes all Vehicles (not otherwise classified) with seating for no more than 15 passengers (including driver), or a gross vehicle weight of less than 10,000 pounds.
2. 311-Medium Weight Trucks – Includes all trucks (other than fire trucks) with a gross vehicle weight of 10,001 to 20,000 pounds.
3. 312-Heavy Weight Trucks – Includes all trucks (other than fire trucks) with a gross vehicle weight of over 20,000 pounds.
4. 313-Emergency Vehicles – Any Vehicle (excluding watercraft) equipped with rotating lights, flashers and sirens. Includes fire, law enforcement, ambulances and HAZMAT.
5. 314-Guest Vehicles – All Vehicles seating in excess of 15 passengers (including driver).
6. 315-Light Equipment – Motorized equipment, including mowers, tractors, forklifts, pallet trucks, motorcycles, trikes, golf carts, snowmobiles, amphibious/AT vehicles.
7. 316-Heavy Equipment – Large motorized equipment including construction equipment, pavers, excavators, street cleaners, cherry pickers, backhoes, and front-end loaders.
8. 317-Watercraft – All motorized watercraft (other than amphibious vehicles), including law enforcement watercraft.

V. Authority

ORC Sections 9.821, 9.822, 9.823, 9.83, 121.07

VI. Resources

Document Name	Location
ORM-01/Tort Liability Self-Insurance Policy	ORM-01
VF-01/Employee's Use of Employer Provided Vehicles	VF-01
HR-47/Distracted Driving	HR-47

VII. Inquiries

Direct inquiries about this policy to:

Office of Risk Management
Legal Services Division
Ohio Department of Administrative Services
4200 Surface Road
Columbus, OH 43228
Das.riskmanagement@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
3/20/2008	Original policy.
9/1/2009	Re-issued as GS-D-01
7/13/2015	Revised the policy to address current State insurance requirements. Also, transferred the policy content into a new State of Ohio Administrative Policy Template and renumbered VF-02.
12/21/2016	Revised the policy to insert references to State of Ohio Risk Management Portal.
12/21/2017	Scheduled Policy Review
6/12/2020	Revised the policy to clarify accident investigation cooperation, termination and reinstatement of coverage, and ultimate settlement authority.
08/30/2023	Revised the policy to update the Driver Abstract reviews and clarify key concepts of the Liability Program and include the Damage Program. Updated to new policy template. This revised policy replaces Policy No. VF-02.
05/21/2024	Revised Section III.A.10. regarding the requirement for disclosure an affirmation form for employees with an out of state license.

TORNADO SHELTERS

Tornado shelters for all Ohio Expo Center employees and patrons have been designated as follows:

Employee/Patron Location	Report To Shelter
Administration Building	Gilligan Complex
Antique Expositions Building (South Commercial Building)	Gilligan Complex
Bricker Multipurpose Building	Gilligan Complex
Brown Sheep Building	Ohio History Center
Celeste Center	Gilligan Complex or Coliseum
Coliseum	Gilligan Complex
Conference Center	Ohio History Center
Cooper Arena	Gilligan Complex
Cox Fine Arts Building	Coliseum
Dairy Products Building	Coliseum
Kasich Hall	Ohio History Center
Gilligan Complex	Gilligan Complex
Lausche Building	Ohio History Center
Martin Janis Center	Coliseum or Gilligan Complex
North Commercial Building	Gilligan Complex or Coliseum
O'Neill Swine Barn	Coliseum or Gilligan Complex
Rabbit & Poultry Building	Coliseum or Gilligan Complex
Rhodes Center	Ohio History Center
Voinovich Livestock & Trade Center	Coliseum or Gilligan Complex

Anyone reporting to the Ohio History Center should enter the Ohio History Center's west door on the ground level at Velma Avenue and report to the auditorium. Questions can be directed to Jim Riley.

For clarification regarding any of the shelter areas, please contact your supervisor.

Revised: 02/19/2025



Date: August 4, 2021
Updated: January 1, 2025

MEMORANDUM

TO: OEC PERMANENT STAFF

FROM: JO ELLEN ALBANESE, HR DIRECTOR

SUBJECT: WORKERS' COMPENSATION CLAIMS

Effective immediately, if you are injured on the job, it is your responsibility to immediately report the injury to your Supervisor and request from the H.R. Office the proper form needed in order to file a Workers' Compensation Claim, even if your supervisor or H.R. are not in the office at that time.

If an injury on the job occurs, listed below is the proper form to request from the Human Resources Office. This form must be completed and returned directly to the HR Office and NOT to Workers' Compensation. This form must be completed and returned to the HR Office no later than 24 hours after the injury occurs. **If the HR office is closed, please leave a message at (614)644-4015 notifying Jo Ellen Albanese of the incident by the end of shift or within 24 hours after the injury occurs.**

ACCIDENT OR ILLNESS REPORT (ADM4303): This form is required if you are injured on the job, whether or not you receive medical treatment. A supply of these forms is available in the Maintenance Office.

If you have any questions, please contact the HR Office at 614-644-4015. Thank you.



OHIO EXPOSITIONS COMMISSION
DISCIPLINARY POLICY

PURPOSE

The purpose of this policy is to outline the guidelines used in determining appropriate discipline for individual situations, and to recommend specific disciplinary actions in response to listed infractions. This policy is intended as a guide for managers in administering discipline that is consistent in determination and uniform in execution. These are only guidelines and disciplinary action may be more or less severe depending upon the nature of the offense.

GENERAL

It is the policy of the OEC to use progressive discipline. When OEC takes disciplinary action, such action shall be taken with the goal of achieving the primary purposes of discipline.

1. Correction of unacceptable employee behavior, while making the employee more productive;
2. Discipline shall not be used solely for punishment;
3. Discipline shall be reasonable and commensurate with the offense.

TYPES OF DISCIPLINARY ACTION

A. **WRITTEN REPRIMAND:** This action states in writing to the employee the specific violation for which the reprimand is being given. This letter should state "Written Reprimand" as the subject. This will ensure the employee understands that disciplinary action is being imposed. The reprimand should be signed by the employee as acknowledgment that she/he has received a copy. If the employee refuses to sign, this should be witnessed by another non-bargaining unit employee. A copy of the written reprimand will be sent to the H.R. Office to be filed in the employee's personnel file.

B. **WORKING SUSPENSION:** A working suspension is noted as a suspension on the employee's disciplinary record, but the employee does not miss work and receives pay for the time worked, i.e., a "paper" suspension. For purposes of progressive discipline, a working suspension shall carry the same weight as a suspension. A minor working suspension is a one (1) day suspension, a medium working suspension is a two (2) to four (4) day suspension, and a major working suspension is a five (5) day suspension. No working suspension greater than five (5) days shall be issued by the employer.

If a working suspension is grieved, and the grievance is denied or partially granted and all appeals are exhausted, whatever portion of the working suspension is upheld will be converted to a fine. The employee may choose a reduction in leave balances in lieu of a fine levied against him/her.

C. **SUSPENSION:** This action is an involuntary, temporary separation from active pay status. A suspension is made for a definite and stated period of time, at the end of which the employee returns to normal employment status. A minor suspension is defined as a one (1) day suspension. A medium suspension is a two (2) to four (4) day suspension and a major suspension is a five (5) day

suspension.

NOTE: No suspension greater than five (5) days shall be issued by the Employer.

Non-bargaining unit employees may appeal suspensions of four (4) days or more to the State Personnel Board of Review.

D. **REMOVAL**: This action is an involuntary, permanent separation from employment.

DISCIPLINARY FACTORS

It is the policy of the Ohio Expositions Commission to maintain consistency in discipline. In order to maintain this consistency, none of the following factors will be considered in deciding disciplinary action: race, color, national origin, age, sex (including sexual orientation and gender identity), disability, religion, union membership, politics, marital status, domestic support responsibilities, or dependent care responsibilities.

The consistency being sought does not require OEC to administer the discipline indicated in the attached Disciplinary Grid.

The consistent discipline contemplated by OEC must include a fair and thorough investigation prior to imposing discipline. Some investigations may only involve collecting facts and interviewing witnesses to the alleged infraction or violation. Supervisors are required to conduct investigations before any discipline is imposed. When more serious discipline is contemplated and a more in depth employee investigation is warranted, the supervisor should contact the human resources department.

OEC will consider the offense under investigation and its relationship to prior disciplinary actions, if any.

Consistent application of discipline also gives accounting to other relevant factors such as work record, employee cooperation during investigation, and any other relevant circumstances surrounding the offense.

Finally, corrective counseling is always an option and may be utilized prior to the imposition of discipline as well as during the various steps of progressive discipline. Ultimately, the proper application of this policy is dependent upon the management commitment and ability of OEC supervisory personnel. The attached Discipline Grid serves as a guide for supervisors in their efforts to fairly and uniformly administer discipline.

This grid is not all inclusive and there may be other types of offenses for which discipline is warranted.

SUPERVISOR'S GUIDELINES FOR DISCIPLINE

1. Supervisor has an employee who has displayed unacceptable behavior in the workplace.
2. Supervisor documents in writing to Department Head exactly what happened.
3. Supervisor and Department Head review the discipline grid and determine what discipline is proper.
4. Department Head then submits a completed discipline request form to Jo Ellen Albanese, H.R. Director, indicating what he/she recommends as discipline, and includes the Supervisor's write-up of the incident. When the Department Head recommends discipline out of the progressive order, a thorough explanation must also be included.
5. Once the H.R. department receives the Department Head's recommendation, the recommendation

will be reviewed and also compared to other disciplinary actions taken against other employees to ensure employees are treated equally.

6. The Department Head is then notified of the appropriate discipline as follows:
 - A. If the appropriate discipline is a written reprimand, the H.R. department completes the proper form in duplicate and forwards to the Department Head. The Department Head is then responsible for informing the Supervisor of the discipline. The Supervisor takes the written reprimand to his/her employee. The employee signs and dates both copies of the form. This indicates that he/she has received a copy and the other copy is returned to the H.R. department to be placed in the employee's personnel file.
 - B. If the appropriate discipline is more than a written reprimand, the H.R. department will issue proper notification to the employee and a pre-disciplinary meeting is conducted. The Department Head will receive a copy.

STEPS IN EMPLOYEE DISCIPLINE/GRIEVANCE PROCESS:

1. Employee commits infraction.
Employee Disciplined
 - a. Written - Grievable up to Step 2
2. Employee commits infraction.
Proposed discipline is a working suspension, suspension or removal
Entitled to Pre-Disciplinary Conference - Hearing Officer
Discipline imposed when just cause is found
Employee can grieve discipline

Grievance Procedure

- a. Step 1 - Intermediate Administrator - Jo Ellen Albanese
- b. Step 2 - Agency Head or Designee
- c. Step 3 - OCB - Mediation
- d. Step 4 - OCB - Arbitration

DISCIPLINARY INFRACTIONS

The attached is a policy to be used in determining appropriate and uniform discipline throughout the OEC. Neither the offenses nor the recommended disciplinary actions listed are intended to be all inclusive. All offenses allow the decision maker to consider extenuating circumstances when determining the appropriate discipline for each infraction.

Progressive discipline does not mean that successive violations must necessarily be of the same rule or even closely related.

Disciplinary action will remain in a union member's file pursuant to the OCSEA/AFSCME contract and in an exempt employees file pursuant to the Ohio Revised Code.

Prior to issuing discipline, contact Jo Ellen Albanese, Labor Relations Administrator

DISCIPLINARY GRID

VIOLATIONS AND DISCIPLINE

Steps in Progressive Discipline

- WR - Written Reprimand
- WR/1 - Written Reprimand/One (1) Day Working Suspension or Suspension
- 1 - One (1) Day Working Suspension or Suspension
- 2 - 4 - Two (2) to Four (4) Day Working Suspension or Suspension
- 5 - Five (5) Day Working Suspension or Suspension
- R - Removal

Infraction	1 ST Offense	2 ND Offense	3 RD Offense	4 TH Offense	5 TH Offense
1. <u>INSUBORDINATION</u>					
A. Refusal to carry-out a work assignment or direct order	WR-1	1-R	3-R	R	
B. Leaving work area without proper authorization	WR	1	2-4	5-R	R
C. Reporting back to work late or stopping work early (lunch hour and breaks included) or leaving area before quitting time	WR	1	2-4	5-R	R
2. <u>NEGLECT OF DUTY</u>					
A. Sleeping on duty which endangers safety/health/life or property	5-R	R			
B. Sleeping on duty no endangerment to safety/health/life or property	WR-3	3-5	5-R	R	
C. Failure to follow written policies/procedures/work rules	WR - 1	WR-4	3-5	5-R	R
3. <u>POOR PERFORMANCE</u>					
A. Failure to properly carry out work assignments	WR	WR-3	2-4	5-R	R
B. Performance at sub-standard levels	WR	WR-3	2-4	5-R	R
C. Incompetent service to the state	WR-5	5 - R	R		

Infraction	1 ST Offense	2 ND Offense	3 RD Offense	4 TH Offense	5 TH Offense
4. <u>ABSENTEEISM</u>					
A. Being absent without proper authorization	WR	WR-3	2-4	5-R	R
B. Not calling in to report absence within prescribed time	WR	WR-3	2-4	5-R	R
C. Misuse of approved leave	WR-3	2-4	4-5	5-R	R
D. Pattern of Absence: Absence which is predictable and/or in conjunction with weekends, days off, paydays, vacation, holidays, special events or any other recognizable patters	WR-1	1-3	5-R	R	
E. No Call, No Show	WR-1	WR-3	3-5	5-R	R
F. Tardiness	WR	WR/1	1-3	3-5	5-R
G. Job Abandonment	R				
5. Threatening, intimidating or fighting with other employee(s) and/or supervisor(s)	WR-3	3-5	5-R	R	
6. Threatening, intimidating or fighting with the general public	5-R	5-R	R		
7. Using abusive language toward, or in the presence of, other employee(s) and/or supervisor(s)	WR-3	3-5	5-R	R	
8. Using abusive language toward, or in the presence of, the general public	1-5	5-R	R		
9. Posting or displaying abusive material or willfully making false, abusive or obscene statements toward or concerning another employee, and/or supervisor	WR-3	3-5	5-R	R	
10. Willfully making false, abusive or obscene statements toward or concerning the general public	1-5	5-R	R		
11. Possessing or having under their control a weapon or dangerous ordinance while conducting state business or on state time unless specifically authorized by the appointing authority.	The severity of the discipline should be reflective of the offense				

Infraction	1 ST Offense	2 ND Offense	3 RD Offense	4 TH Offense	5 TH Offense
12. Acts of discrimination: insults on the basis of race, color, sex, age, religion, national origin, disability, sexual preference or gender identity	WR-5	5-R	R		
13. Possessing firearms, explosives or any weapons on state premises without authorization	1-R	R			
14. Careless abuse or misuse of the employers, or another employees property or materials	The severity of the discipline should be reflective of the offense				
15. Careless abuse or misuse of the general public's property or materials	1-5	5-R	R		
16. Intentional misuse, abuse or destruction of the employer's or another employee's property or materials	WR-3	3-5	5-R	R	
17. Intentional misuse, abuse or destruction of the general public's property or materials	5-R	5-R	R		
18. Removal or attempted removal of the employers, or another employees property or materials	The severity of the discipline should be reflective of the offense				
19. Removal or attempted removal of property or materials of the general public	The severity of the discipline should be reflective of the offense				
20. Reporting to work under the influence of alcohol or drugs, other than drugs taken only as directed by Physician (if an over-the-counter drug, the exception holds only if taken as directed by instructions issued by manufacturer)	5-R	R			
21. Possession, distribution or consumption of alcoholic beverages or illegal drugs while on duty	5-R	5-R			
22. Intentional misuse of state funds	5-R	R			
23. Unauthorized use of state vehicle	The severity of the discipline should be reflective of the offense				
24. Smoking in areas other than those designated as smoking areas	WR	1-5	5-R	R	

Infraction	1 ST Offense	2 ND Offense	3 RD Offense	4 TH Offense	5 TH Offense
25. Falsification of any document	3-R	5-R	R		
26. Accepting bribes; misuse of position for personal gain	3-R	R			
27. Failure of good behavior	WR	WR-1	1-3	5-R	R
28. Participation in an illegal strike	R				
29. Misuse of funds	The severity of the discipline should be reflective of the offense				
30. Engaging in political activities as prohibited by ORC Section 124.5	5-R	R			
31. Violation of ORC 124.34 and for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of such sections or the rules of the director of administrative services or the commission, or any other failure of good behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office.	The severity of the discipline should be reflective of the offense				

- F. IMPLEMENTATION: This policy becomes effective immediately and rescinds previous memoranda, directives and policies on the subject.

Effective Date: August 21, 2015
Updated: January 1, 2025

TO:

FROM:

DATE:

RE: _____ **Reprimand**

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This letter will serve as a _____ Reprimand and will be placed in your personnel file. It will also serve as a warning that in case of future violations, more severe discipline may be administered.

Supervisor's Signature

I, _____, acknowledge receipt of this _____

Reprimand on _____
Date

Employee's Signature

NOTICE: Further infraction(s) may result in suspension.

TO:

FROM:

DATE:

RE: _____ **Reprimand**

This letter will serve as a _____ Reprimand and will be placed in your personnel file. It will also serve as a warning that in case of future violations, more severe discipline may be administered.

Supervisor's Signature

I, _____, acknowledge receipt of this _____

Reprimand and have received a copy of the Work Rules which include Call-In Procedures.

Date

Employee's Signature

NOTICE: Further infraction(s) may result in suspension.



Date: August 4, 2021
Updated: January 1, 2025

MEMORANDUM

TO: OEC PERMANENT STAFF

FROM: JO ELLEN ALBANESE, HR DIRECTOR

SUBJECT: ILLEGAL ACTIVITY

PROCEDURES FOR RESPONDING TO ILLEGAL ACTIVITY WITHIN THE STATE DEPARTMENTS AND AGENCIES:

Any state employee who becomes aware of suspected or alleged illegal activity of any person on any state property shall immediately notify the director of the department or agency **in** which the alleged illegal activity occurred. However, if the allegation involves the Director, the employee should contact the Governor's Office of Chief Legal Counsel. The notification may be either oral or written.

Once notified of alleged illegal activity, the Director must immediately give written notice of the allegation to the Governor's Chief Legal Counsel and the Director of the Ohio Department of Highway Safety. Such notice should include a description of the alleged activity, the date or dates of the activity, and the date the allegations were brought to the Director's attention.

The Chief Legal Counsel and the Director of the Ohio Department of Highway Safety will then institute the Governor's Procedures for Responding to Illegal Activities, issued April 12, 1999. Any questions about reporting alleged illegal activity or about the Procedures should be directed to the Personnel Department, Office of Chief Legal Counsel in the Department or the Governor's Office of Chief Legal Counsel.



**OHIO EXPOSITIONS COMMISSION
USE OF INTERNET, E-MAIL
AND OTHER IT RESOURCES POLICY**

I. **PURPOSE**

This policy establishes controls on the use of state-provided information technology (IT) resources to ensure they are appropriately used for the purposes for which they were acquired.

II. **SCOPE**

The scope of this policy includes state computer and tele-communications systems and the employees, contractors, temporary personnel and other agents of the state who use and administer such systems.

III. **BACKGROUND**

The State of Ohio furnishes a variety of IT resources to employees, contractors, temporary personnel and other agents of the state in order to conduct the business of the state. These resources include equipment such as desktop and notebook computers, tablet PCs, printers, digital copiers, facsimile machines, personal digital assistants, digital audio and video recorders; software, subscription services, e-mail, instant messaging, and Internet; and supplies such as paper, toner and ink. With such a proliferation of devices, services and software, greater care is required to prevent misappropriation of publicly-owned IT resources.

Just as important, the people of Ohio expect their public servants to devote their time to conduct the state's business and compensates them for that time. In the use of their time and IT resources, public servants must be mindful of the public trust that they discharge, of the necessity for conducting themselves according to the highest ethical principles, and of avoiding any action that may be viewed as a violation of the public trust. As custodians of resources entrusted to them by the public, public servants must be mindful of how these resources are used.

IV. **POLICY**

A. **Use of State-Provided IT Resources.** The State of Ohio provides

computers, services, software, supplies and other IT resources to employees, contractors, temporary personnel and other agents of the state for supporting the work and conducting the affairs of Ohio government. Personal use of that equipment is prohibited.

- B. Use of State-Provided Telephones and Services. Restrictions on the use of IT resources outlined in this policy apply to wired and wireless telephone devices and services, including facsimile machines connected to the state's telephone service. Additional restrictions on the use of state telephones and services are covered by Ohio IT Policy ITP-H.2, "Use of State Telephones."
- C. Use for Collective Bargaining Purposes. In addition to this policy, collective bargaining contract provisions control the use of state-provided IT resources for contract enforcement, interpretation and grievance processing.
- D. Unacceptable Personal Use. Any personal use of IT resources that disrupts or interferes with government business, incurs and undue cost to the state, could potentially embarrass or harm the state, or has the appearance of impropriety is strictly prohibited. Personal use that is strictly prohibited includes, but is not limited to:
 - 1. Violation of Law. Violating or supporting and encouraging the violation of local, state or federal law is strictly prohibited.
 - 2. Illegal Copying. Downloading, duplicating, disseminating, printing or otherwise using copyrighted materials, such as software, texts, music and graphics, in violation of copyright laws is strictly prohibited.
 - 3. Operating a Business. Operating a business, directly or indirectly for personal gain is strictly prohibited.
 - 4. Accessing Personals Services. Accessing or participating in any type of personals ads or services, such as or similar to dating services, matchmaking services, companion finding services, pen pal services, escort services, or personals ads is strictly prohibited.
 - 5. Accessing Sexually Explicit Material. Downloading, displaying, transmitting, duplicating, storing or printing sexually explicit material is strictly prohibited.
 - 6. Harassment. Downloading, displaying, transmitting, duplicating,

storing or printing materials that is offensive, obscene, threatening or harassing is strictly prohibited.

7. Gambling or Wagering. Organizing, wagering on, participating in or observing any type of gambling event or activity is strictly prohibited.
 8. Mass E-mailing. Sending unsolicited e-mails or facsimiles in bulk or forwarding electronic chain letters in bulk to recipients inside or outside the state environment is strictly prohibited.
 9. Solicitation. Except for agency-approved efforts, soliciting for money or support on behalf of charities, religious entities or political causes is strictly prohibited.
- E. Participation in Online Communities. Any use of state-provided IT resources to operate, participate in, or contribute to an online community including, but not limited to, online forums, chat rooms, listservs, blogs, wikis, peer-to-peer file sharing, and social networks, is strictly prohibited unless organized or approved by the OEC.
- Internet Security. A public servant participating in an online community organized or approved by the agency shall adhere to the security requirements outlined in Ohio IT Policy ITP-B.6, "Internet Security."
- F. Unauthorized Installation or Use of Software. Installing or using software including, but not limited to, instant messaging clients and peer-to-peer file sharing software, or personally-owned software, without proper agency approval is strictly prohibited. Installation and use of unlicensed software is strictly prohibited.
- G. Unauthorized Installation or Use of Hardware. Installing, attaching, or physically or wirelessly connecting any kind of hardware device to any state-provided IT resource, including computers and network services, without prior authorization is strictly prohibited. Connecting or attempting to connect a wireless device to the state's wireless service without proper approval is strictly prohibited.
- H. No Expectation of Privacy. This policy serves as notice to public servants that they shall have no reasonable expectation of privacy in conjunction with their use of state provided IT resources. Contents of state computers may be subject to review, investigation and public disclosure. Access and use of the Internet, including communication by e-mail and instant messaging and the content thereof, are not confidential, except in certain limited cases recognized by state or federal

law. The state reserves the right to view any files and electronic communications on state computers, monitor and log all electronic activities, and report findings to appropriate supervisors and authorities.

1. Impeding Access. Impeding the state's ability to access, inspect and monitor IT resources is strictly prohibited. A public servant shall not encrypt or conceal the contents of any file or electronic communications on state computers without proper authorization. A public servant shall not set or manipulate a password on any state computer, program, file or electronic communication without proper authorization.
- I. Misrepresentation. Concealing or misrepresenting one's name or affiliation to mask unauthorized, fraudulent, irresponsible or offensive behavior in electronic communications is strictly prohibited.
- J. Restrictions on the Use of State E-mail Addresses. Public servants shall avoid the appearance of impropriety and avoid the appearance of leveraging the stature of the state in the use of their assigned state e-mail address. State e-mail addresses, such as "firstname.lastname@ohio.gov" or "firstname.lastname@agency.state.oh.us" shall not be used for personal communications in public forums such as or similar to listservs, discussion boards, discussion threads, comment forums, or blogs.
- K. Violations of Systems Security Measures. Any use of state-provided IT resources that interferes with or compromises the security or operations of any computer system, or compromises public trust, is strictly prohibited.
1. Confidentiality Procedures. Using IT resources to violate or attempt to circumvent confidentiality procedures is strictly prohibited.
 2. Accessing or Disseminating Confidential Information. Accessing or disseminating confidential information or information about another person without authorization is strictly prohibited.
 3. Accessing Systems without Authorization. Accessing networks, files or systems or an account of another person without proper authorization is strictly prohibited. Public servants are individually responsible for safeguarding their passwords in accordance with Ohio IT Policy ITP-B-3, "Password and PIN Security."
 4. Distributing Malicious Code. Distributing malicious code or circumventing malicious code security is strictly prohibited. Ohio IT Policy ITP-B.4, "Malicious Code Security," outlines requirements for protecting IT resources against threats from malicious code.

V. **PENALTIES**

Violation of this policy may result in disciplinary action or contractual penalties and may be cause for termination. In addition, public servants may be subject to a civil action or criminal prosecution as a result of inappropriate use or misuse of IT resources.

VI. **IMPLEMENTATION**

This policy becomes effective immediately and rescinds any previous memoranda, directives and policies on the subject.

Date: August 9, 2021

Updated: January 1, 2025



State of Ohio Administrative Policy

No: IT-04
Information Technology

Effective:
October 3, 2023

Use of Internet, E-mail, and Other IT Resources

Issued By:

Kathleen C. Madden, Director

I. Purpose

This state policy establishes controls on the use of state-provided **Information Technology (IT) Resources** to ensure that they are appropriately used for the purposes for which they were acquired. The first occurrence of a defined term in the policy body outside of a title or heading is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all state Agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies) and to employees, contractors, temporary personnel and other agents of those Agencies (collectively referred to as Individuals).

III. Policy

Agencies shall establish an **Internet**, e-mail and IT Resources use policy in compliance with this state policy and ensure that Individuals adhere to that policy. Agencies shall define and implement such a policy based on the business requirements of the Agency. Agency policy shall describe the extent to which personal use is allowed. Agencies may adopt or endorse this state policy as Agency policy or may further restrict the duration, frequency and nature of personal use.

A. **Use of State-Provided IT Resources:** The State of Ohio provides computers, services, software, supplies and other IT Resources to Individuals for supporting the work and conducting the affairs of Ohio government. Personal use, if permitted by an Agency, shall be strictly limited and can be restricted or revoked at an Agency's discretion at any time.

1. Restrictions on the use of IT Resources outlined in this policy apply to wired and **Wireless** telephone devices and services, including facsimile machines connected to the state's

Telephone Service. Additional restrictions on the use of state telephones and services are covered by Ohio Administrative Policy IT-11, "Use of State Telephones."

2. In addition to this state policy, collective bargaining contract provisions control the use of state-provided IT Resources for contract enforcement, interpretation and grievance processing.

B. **Unacceptable Personal Use:** Any personal use of IT Resources that disrupts or interferes with government business, incurs an undue cost to the state, could potentially embarrass or harm the state, or has the appearance of impropriety is strictly prohibited. Personal use that is strictly prohibited includes, but is not limited to, the following:

1. Violating or supporting and encouraging the violation of local, state or federal law is strictly prohibited.
2. Downloading, duplicating, disseminating, printing or otherwise using copyrighted materials, such as software, texts, music and graphics, in violation of copyright laws is strictly prohibited.
3. Operating a business, directly or indirectly, for personal gain is strictly prohibited.
4. Accessing or participating in any type of personals advertisements or services, such as or similar to dating services, matchmaking services, companion finding services, pen pal services, escort services, or personals advertisements is strictly prohibited.
5. Downloading, displaying, transmitting, duplicating, storing or printing sexually explicit material is strictly prohibited.
6. Downloading, displaying, transmitting, duplicating, storing or printing material that is offensive, obscene, threatening or harassing is strictly prohibited.
7. Organizing, wagering on, participating in or observing any type of gambling event or activity is strictly prohibited.
8. Sending unsolicited e-mails or facsimiles in bulk or forwarding electronic chain letters in bulk to recipients inside or outside of the state environment is strictly prohibited.
9. Except for Agency-approved efforts, soliciting for money or support on behalf of charities, religious entities or political causes is strictly prohibited.

C. **Participation in Online Communities:** Any use of state-provided IT Resources to operate, participate in, access or contribute to an online community including, but not limited to, **Online Forums, Chat Rooms, Instant Messaging, Listservs, Blogs, Wikis, Peer-to-Peer File Sharing,** and **Social Media**, is strictly prohibited unless organized or approved by the Agency.

1. If an individual is approved to participate in or access any of these forms of communication as part of state business, that person shall fulfill Agency-defined security education and awareness requirements for proper use before participating.

2. The content of the education and awareness requirements shall include methods to avoid inadvertent disclosure of sensitive information and practices that could harm the security of state computer systems and networks.
 3. Participation in and access to online communities shall align with the State-approved Social Media requirements outlined in Ohio Administrative Policy IT-08, "Website Standardization" and shall be in accordance with Ohio Revised Code Section 125.183 and Executive Order 2023-03D, "Prohibition of Certain Applications, Platforms, and Websites on State-Owned and State-Leased Devices."
- D. **Use of Cloud File Sharing Solutions:** Only state approved **Cloud File Sharing Solutions**, Microsoft OneDrive for Business and SharePoint Online, shall be used to store, share and synchronize state **Data**. This requirement is not intended to limit the use of state approved cloud services and solutions. The purpose of the requirement is to prohibit the use of Cloud File Sharing Solutions that are not authorized for state use, that may not be adequately secured and that may compromise the state's ability to preserve and access information and comply with public records laws. When using state approved Cloud File Sharing Solutions, the following restrictions apply:
1. Only Data related to state business shall be stored in state approved Cloud File Sharing Solutions.
 2. **Sensitive Data** shall only be stored in Microsoft OneDrive for Business or SharePoint Online if an Agency has approved the practice. If approved, Agency procedures shall align with the requirements outlined in Ohio Administrative Policy IT-14, "Data Encryption and Securing Sensitive Data". Agencies shall ensure that users understand the procedures for handling and securing Sensitive Data. Sensitive state Data shall not be downloaded from Cloud File Sharing Solutions onto personal devices unless explicitly authorized by the user's Agency.
 3. Any other Cloud File Sharing Solutions shall be submitted to the Department of Administrative Services (DAS) Office of Information Security and Privacy for evaluation and approval prior to being used to share state Data.
- E. **Unauthorized Installation or Use of Software:** Installing or using software including, but not limited to, Instant Messaging clients and Peer-to-Peer File Sharing software, or personally owned software, without proper Agency approval is strictly prohibited. Installation and use of unlicensed software is strictly prohibited.
- F. **Unauthorized Installation or Use of Hardware:** Installing, attaching, or physically or wirelessly connecting any kind of hardware device to any state-provided IT Resource, including computers and network services, without prior authorization is strictly prohibited. Connecting or attempting to connect a wireless device to the state's wireless service without proper Agency approval is strictly prohibited.
- G. **No Expectation of Privacy:** This policy serves as notice to Individuals that they shall have

no expectation of privacy in conjunction with their use of state-provided IT Resources.

1. Contents of state computers may be subject to review, investigation, and public disclosure.
 2. Access and use of the Internet, including communication by e-mail and Instant Messaging and the content thereof, are not confidential, except in certain limited cases recognized by state or federal law. The state reserves the right to view any files and electronic communications on state computers, monitor and log all electronic activities, and report findings to appropriate supervisors and authorities.
 3. Impeding the state's ability to access, inspect and monitor IT Resources is strictly prohibited. Individuals shall not encrypt or conceal the contents of any file or electronic communication on state computers without proper authorization.
 4. Individuals shall not set or manipulate a password on any state computer, program, file or electronic communication without proper authorization.
- H. **Public Records:** Individuals shall understand that records created as a result of the use of state-provided IT Resources may be subject to disclosure under Ohio's public records law and must be retained in accordance with state and Agency record retention schedules. In addition, the records created may also be subject to **eDiscovery**.
- I. **Misrepresentation:** Concealing or misrepresenting one's name or affiliation to mask unauthorized, illegal, fraudulent, irresponsible or offensive behavior in electronic communications is strictly prohibited.
- J. **Restrictions on the Use of State E-mail Addresses:** Individuals shall avoid the appearance of impropriety and avoid the appearance of leveraging the stature of the state in the use of their assigned state e-mail address. State e-mail addresses, such as "firstname.lastname@ohio.gov" or "firstname.lastname@Agency.state.oh.us," shall not be used for personal communication in public forums such as, or similar to, Listservs, discussion boards, discussion threads, comment forums, or Blogs.
- K. **Violations of Systems Security Measures:** Any use of state-provided IT Resources that interferes with or compromises the security or operations of any computer system, or compromises public trust, is strictly prohibited.
1. Using IT Resources to violate or attempt to circumvent **Confidentiality** procedures is strictly prohibited.
 2. Accessing or disseminating Sensitive Data or **Personally Identifiable Information**, without authorization is strictly prohibited.
 3. Accessing networks, files or systems or an account of another person without proper authorization is strictly prohibited. Individuals are responsible for safeguarding their passwords.

4. Individuals who are assigned both user accounts and **Privileged User Accounts** shall not use the same password for multiple accounts. Users must maintain unique passwords for each account.
 5. Individuals shall not leverage browser-based **Save Password Options**.
 6. Distributing **Malicious Code** or circumventing Malicious Code security is strictly prohibited.
- L. **Penalties:** Violation of this policy may result in disciplinary action or contractual penalties and may be cause for termination. In addition, Individuals may be subject to a civil action or criminal prosecution as a result of inappropriate use or misuse of IT Resources. The Ohio Revised Code (ORC) makes certain misuses of IT Resources criminal offenses:
1. ORC Section 2909.04 – knowingly using a computer system, network or the Internet to disrupt or impair a government operation.
 2. ORC Section 2909.05 – causing serious physical harm to property that is owned, leased, or controlled by a government entity.
 3. ORC Section 2913.04 – accessing without authorization any computer, computer system, or computer network without consent of the owner.
 4. ORC Section 2921.41 – using a public office to commit theft which includes fraud and unauthorized use of government computer systems.
- M. **Contractual Agreements:** As of September 14, 2017, any new contractual agreements for vendors and contractors shall include a requirement to comply with this policy as well as any associated Agency policies prior to gaining access to statewide and Agency IT Resources.
- N. **Compliance**
1. Agencies shall undertake measures to ensure that Individuals adhere to Agency policy.
 2. Agencies shall ensure that restrictions and controls on personal use of IT Resources are addressed by education and awareness programs.
 3. Individuals shall be made aware of their respective Agency’s use policy, this state policy, applicable local, state and federal laws, and any applicable collective bargaining agreement provisions.
 4. Agencies shall provide Individuals under their employ a copy of the Agency’s Internet, e-mail and IT Resources use policy.

IV. Definitions

- A. **Availability.** Ensuring timely and reliable access to and use of information.¹
- B. **Blog.** Web-based content consisting primarily of periodic articles or essays listed with the latest entry and visitor comments at the top. Blog topics can range from personal diaries to political issues, media programs and industry analysis. Blogs are also known as “Weblogs” or “Web logs.”
- C. **Chat Room.** An Online Forum where people can broadcast messages to people connected to the same forum in real time. Sometimes, these forums support audio and video communications, allowing people to converse and to see each other.
- D. **Cloud File Sharing Solutions.** Cloud services that allow users to store and synchronize documents, photos, videos and other files in the cloud—and share them with other people. These services also allow users to share and synchronize Data among multiple devices for a single owner. These services are accessible through desktops, notebooks, smartphones and media tablets, and provide a simple mechanism for synchronizing Data across multiple devices.²
- E. **Confidentiality.** Preserving authorized restrictions on information access and disclosure, including means for protecting personal privacy and proprietary information.³
- F. **Data.** Coded representation of quantities, objects and actions. The word, “Data,” is often used interchangeably with the word, “information,” in common usage and in this policy.
- G. **eDiscovery.** “Discovery” refers to the process of complying with legal obligations to produce relevant documents and information to opposing counsel in the course of civil litigation or to prosecutors or government investigators in criminal or regulatory proceedings. “eDiscovery” refers to the production of files or other Data held in an electronic form, such as e-mail.⁴
- H. **Information Technology (IT) Resources.** Any Information Technology Resource, such as computer hardware and software, IT services, telecommunications equipment and services, digital devices such as digital copiers and facsimile machines, supplies and the Internet, made available to employees, contractors, temporary personnel and other agents of the state (Individuals) in the course of conducting state government business in support of Agency mission and goals.

¹ “NIST Special Publication 800-53 Revision 5, Security and Privacy Controls for Information Systems and Organizations,” U.S. Department of Commerce National Institute of Standards and Technology, September 2020. <<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>>.

² “Cloud File Sharing” Gartner IT Glossary. Web. 19 October 2016. <https://www.gartner.com/en/information-technology/glossary/cloud-file-sharing>.

³ “NIST Special Publication 800-53 Revision 5, Security and Privacy Controls for Information Systems and Organizations,” U.S. Department of Commerce National Institute of Standards and Technology, September 2020. <<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>>.

⁴ Jamie Popkin, “E-Discovery for IT Professionals: An Exceptional Process that Requires Unique Core Competencies,” Gartner Research Note, 17 February 2011 (Stamford, CT: Gartner, Inc., 2011).

- I. **Instant Messaging.** A software tool that allows real-time electronic messaging or chatting. Instant Messaging services use “presence awareness,” indicating whether people on one’s list of contacts are currently online and available to chat.
- J. **Integrity.** Guarding against improper information modification or destruction and includes ensuring information non-repudiation and authenticity.⁵
- K. **Internet.** A worldwide system of computer networks — a network of networks — in which computer users can get information and access services from other computers. The Internet is generally considered to be public, untrusted and outside the boundary of the state of Ohio enterprise network.
- L. **Listserv.** An electronic mailing list software application that was originally developed in the 1980s and is also known as “discussion lists.” A Listserv subscriber uses the Listserv to send messages to all the other subscribers, who may answer in similar fashion.
- M. **Malicious Code.** Software or firmware intended to perform an unauthorized process that will have adverse impacts on the Confidentiality, **Integrity**, or **Availability** of an information system. Some examples include a virus, worm, Trojan horse, or other code-based entity that infects a host. Spyware and some forms of adware are also examples of Malicious Code.⁶
- N. **Online Forum.** A Web application where people post messages on specific topics. Forums are also known as Web forums, message boards, discussion boards and discussion groups.
- O. **Peer-to-Peer (P2P) File Sharing.** Directly sharing content like audio, video, Data, software or anything in digital format between any two computers connected to the network without the need for a central server.
- P. **Personally Identifiable Information (PII).** “Personally Identifiable Information” is information that can be used directly or in combination with other information to identify a particular individual. It includes:
 - 1. a name, identifying number, symbol, or other identifier assigned to a person,
 - 2. any information that describes anything about a person,
 - 3. any information that indicates actions done by or to a person,
 - 4. any information that indicates that a person possesses certain personal characteristics.⁷
- Q. **Privileged User Accounts.** Passwords associated with user accounts, which are assigned to individuals (commonly referend to as named accounts), that have elevated access to make changes to system parameters.
- R. **Save Password Option.** An option on some systems that, when enabled, allows the user the choice of whether to have the user password memorized by the system so that it will not need to be re-entered upon subsequent access.

⁵ “NIST Special Publication 800-53 Revision 5, Security and Privacy Controls for Information Systems and Organizations,” U.S. Department of Commerce National Institute of Standards and Technology, September 2020. <<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>>.

⁶ *Ibid.*

⁷ Based on Ohio Revised Code Section 1347.01 (E).

- S. **Sensitive Data.** Sensitive Data is any type of Data that presents a high or moderate degree of risk if released, disclosed, modified or deleted without authorization. There is a high degree of risk when unauthorized release or disclosure is contrary to a legally mandated Confidentiality requirement. There may be a moderate risk and potentially a high risk in cases of information for which an Agency has discretion under the law to release Data, particularly when the release must be made only according to Agency policy or procedure. The Data may be certain types of Personally Identifiable Information that is also sensitive such as medical information, social security numbers, and financial account numbers. It includes Federal Tax Information under IRS Special Publication 1075, Protected Health Information under the Health Insurance Portability and Accountability Act, Criminal Justice Information under Federal Bureau of Investigation’s Criminal Justice Information Services (CJIS) Security Policy, and the Social Security Administration Limited Access Death Master File. The Data may also be other types of information not associated with a particular individual such as security and infrastructure records, trade secrets and business bank account information.
- T. **Social Media.** Refers to an online environment or application that facilitates user participation, networking, and collaboration through the submission of user generated content. In general, this includes tools such as: Blogs, Wikis, microblogging sites, social networks, video sharing sites, and bookmarking sites.
- U. **Telephone Service.** Unless otherwise stated, Telephone Service includes both wired telephones and wireless telephones.
- V. **Wiki.** A Web application that allows one user to add content and any other user to edit the content. The popular software used to implement this type of Web collaboration is known as “Wiki.” A well-known implementation is Wikipedia, an online encyclopedia.
- W. **Wireless.** Use of various electromagnetic spectrum frequencies, such as radio and infrared, to communicate services, such as Data and voice, without relying on a hardwired connection, such as twisted pair, coaxial or fiber optic cable.

V. Authority

ORC 125.18, 125.183
Executive Order 2023-03D

VI. Resources

None

VII. Inquiries

Direct inquiries about this policy to:

State IT Policy Manager
Office of Information Technology
Ohio Department of Administrative Services
30 East Broad Street, 39th Floor
Columbus, Ohio 43215

1-614-466-6930 | DAS.State.ITPolicy.Manager@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/technology-and-strategy/policies>

Direct inquiries regarding Sensitive Data and Cloud File Sharing Solutions to:

Office of Information Security & Privacy
Office of Information Technology
Ohio Department of Administrative Services
30 East Broad Street, 19th Floor
Columbus, Ohio 43215

1-614-644-9391 | state.isp@das.ohio.gov

VIII. Revision History

This policy shall be reviewed no less than every two years and updated as needed.

Date	Description of Change
01/01/1996	Ohio IT Policy OPP-008 replaces PB-002 and all previously released memoranda regarding this topic.
03/20/2006	Revise policy requirements on acceptable and unacceptable personal use of IT Resources by Individuals.
03/19/2008	Policy requirements concerning participation in online communities were moved from ITP-B.6, "Internet Security," into section 2.3 of this policy.
04/18/2011	References to Ohio IT Policies ITP-B.3, "Password and PIN Security," and ITP-B.4, "Malicious Code Security," were removed from the policy. These policies were rescinded due to the publication of Ohio IT Standard ITS-SEC-02, "Enterprise Security Controls Framework."
05/04/2015	Added requirements for the use of cloud storage solutions and eDiscovery as well as modified the public records and record retention section. Transferred policy content to a new State of Ohio Administrative Policy

Date	Description of Change
	Template. Re-numbered policy to IT-04 to be consistent with the new numbering format.
09/14/2017	Revised the cloud storage solution requirements to align with current capabilities and procedures. The focus of the requirements is now on Cloud File Sharing Solutions. Added new requirements for passwords and vendor/contractor contractual agreements.
01/15/2020	Updated the policy template to align with the current format.
10/13/2021	Conducted routine maintenance review of citations and references.
01/09/2023	Included a reference to Executive Order 2023-03D Prohibition of Certain Applications, Platforms, and Websites on State-Owned and State-Leased Devices and Ohio Administrative Policy IT-08, "Website Standardization," State-approved Social Media channel requirements. Modified revision history review frequency statement and updated policy branding. Removed the state registry requirement and procedures section that required the submission of Agency Internet, e-mail and IT Resources use policies to DAS OIT. Modified the contractual agreements portion of the policy to clarify the effective date of the requirement.
10/03/2023	Added a reference to ORC 125.183 and modified the definition of social media. Modified the save password options requirement. Updated the policy template.

Updated: January 2025

OHIO EXPO CENTER INTERNAL MEDIA POLICY

Please forward all media calls to the public relations office. The main line for public relations is 614-644-4012.

Using one spokesperson, we can ensure that a correct and consistent message is disseminated to the media. No matter what the situation, all calls from reporters should be forwarded to public relations. For example, if a reporter wants to confirm information or set up an interview with someone in your department, ask him/her to hold and transfer the call to public relations. If a reporter should become aggressive or hostile, remain calm and polite and transfer the call to public relations. When you do transfer a media call to the public relations office, please remain on the line and explain the situation to the PR representative who answers the phone. This will alleviate a situation where the reporter would need to repeat his/her question more than once.

In addition to handling media calls, the public relations office will issue all news releases on behalf of the departments of the Ohio Expo Center & State Fairgrounds. In situations where the release involves your department, they may ask for your assistance in providing pertinent information.

If you have questions regarding any of this information, please contact [Jessica West](#) at 4-4012.

Thank you for your cooperation and assistance.



Ohio Revised Code

Section 124.34 Reduction in pay or position - suspension - removal.

Effective: September 29, 2023

Legislation: Senate Bill 21, House Bill 33

(A) The tenure of every officer or employee in the classified service of the state and the counties, civil service townships, cities, city health districts, general health districts, and city school districts of the state, holding a position under this chapter, shall be during good behavior and efficient service. No officer or employee shall be reduced in pay or position, fined, suspended, or removed, or have the officer's or employee's longevity reduced or eliminated, except as provided in section 124.32 of the Revised Code, and for incompetency, inefficiency, unsatisfactory performance, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of any policy or work rule of the officer's or employee's appointing authority, violation of this chapter or the rules of the director of administrative services or the commission, any other failure of good behavior, any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony while employed in the civil service. The denial of a one-time pay supplement or a bonus to an officer or employee is not a reduction in pay for purposes of this section.

This section does not apply to any modifications or reductions in pay or work week authorized by section 124.392, 124.393, or 124.394 of the Revised Code.

An appointing authority may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. The disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and has the same effect as a suspension without pay for the purpose of recording disciplinary actions.

A finding by the appropriate ethics commission, based upon a preponderance of the evidence, that the facts alleged in a complaint under section 102.06 of the Revised Code constitute a violation of Chapter 102., section 2921.42, or section 2921.43 of the Revised Code may constitute grounds for dismissal. Failure to file a statement or falsely filing a statement required by section 102.02 of the Revised Code may also constitute grounds for dismissal. The tenure of an employee in the career



professional service of the department of transportation is subject to section 5501.20 of the Revised Code.

Conviction of a felony while employed in the civil service is a separate basis for reducing in pay or position, suspending, or removing an officer or employee, even if the officer or employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An officer or employee may not appeal to the state personnel board of review or the commission any disciplinary action taken by an appointing authority as a result of the officer's or employee's conviction of a felony. If an officer or employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the officer's or employee's reinstatement.

A person convicted of a felony while employed in the civil service immediately forfeits the person's status as a classified employee in any public employment on and after the date of the conviction for the felony. If an officer or employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the officer or employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.

Any person removed for conviction of a felony is entitled to a cash payment for any accrued but unused sick, personal, and vacation leave as authorized by law. If subsequently reemployed in the public sector, the person shall qualify for and accrue these forms of leave in the manner specified by law for a newly appointed employee and shall not be credited with prior public service for the purpose of receiving these forms of leave.

As used in this division, "felony" means any of the following:

- (1) A felony that is an offense of violence as defined in section 2901.01 of the Revised Code;
- (2) A felony that is a felony drug abuse offense as defined in section 2925.01 of the Revised Code;



(3) A felony under the laws of this or any other state or the United States that is a crime of moral turpitude;

(4) A felony involving dishonesty, fraud, or theft;

(5) A felony that is a violation of section 2921.05, 2921.32, or 2921.42 of the Revised Code.

(B) In case of a reduction, a suspension of more than forty work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of more than twenty-four work hours in the case of an employee required to be paid overtime compensation, a fine of more than forty hours' pay in the case of an employee exempt from the payment of overtime compensation, a fine of more than twenty-four hours' pay in the case of an employee required to be paid overtime compensation, or removal, except for the reduction or removal of a probationary employee, the appointing authority shall serve the employee with a copy of the order of reduction, fine, suspension, or removal, which order shall state the reasons for the action.

Within ten days following the date on which the order is served or, in the case of an employee in the career professional service of the department of transportation, within ten days following the filing of a removal order, the employee, except as otherwise provided in this section, may file an appeal of the order in writing with the state personnel board of review or the commission. For purposes of this section, the date on which an order is served is the date of hand delivery of the order or the date of delivery of the order by certified United States mail, whichever occurs first. If an appeal is filed, the board or commission shall forthwith notify the appointing authority and shall hear, or appoint a trial board to hear, the appeal within thirty days from and after its filing with the board or commission. The board, commission, or trial board may affirm, disaffirm, or modify the judgment of the appointing authority. However, in an appeal of a removal order based upon a violation of a last chance agreement, the board, commission, or trial board may only determine if the employee violated the agreement and thus affirm or disaffirm the judgment of the appointing authority.

In cases of removal or reduction in pay for disciplinary reasons, either the appointing authority or the officer or employee may appeal from the decision of the state personnel board of review or the commission, and any such appeal shall be to the court of common pleas in accordance with section 119.12 of the Revised Code.



(C) In the case of the suspension for any period of time, or a fine, demotion, or removal, of a chief of police, a chief of a fire department, or any member of the police or fire department of a city or civil service township, who is in the classified civil service, the appointing authority shall furnish the chief or member with a copy of the order of suspension, fine, demotion, or removal, which order shall state the reasons for the action. The order shall be filed with the municipal or civil service township civil service commission. Within ten days following the filing of the order, the chief or member may file an appeal, in writing, with the commission. If an appeal is filed, the commission shall forthwith notify the appointing authority and shall hear, or appoint a trial board to hear, the appeal within thirty days from and after its filing with the commission, and it may affirm, disaffirm, or modify the judgment of the appointing authority. An appeal on questions of law and fact may be had from the decision of the commission to the court of common pleas in the county in which the city or civil service township is situated. The appeal shall be taken within thirty days from the finding of the commission.

(D) A violation of division (A)(7) of section 2907.03 of the Revised Code is grounds for termination of employment of a nonteaching employee under this section.

(E) The director shall adopt a rule in accordance with Chapter 119. of the Revised Code to define the term "unsatisfactory performance" as it is used in this section with regard to employees in the service of the state.

(F) As used in this section, "last chance agreement" means an agreement signed by both an appointing authority and an officer or employee of the appointing authority that describes the type of behavior or circumstances that, if it occurs, will automatically lead to removal of the officer or employee without the right of appeal to the state personnel board of review or the appropriate commission.

OHIO EXPOSITIONS COMMISSION OCSEA/AFSCME OVERTIME POLICY

Insofar as practicable, supervisors shall ensure overtime is equitably distributed on a rotating basis by seniority among those OCSEA/AFSCME employees who normally perform the work. Any unscheduled overtime must be verbally approved by the supervisor, prior to the employee engaging in the specific overtime work. If the supervisor is absent, verbal approval must be obtained from the supervisor's designee.

An employee who desires to work or is required to work more than forty (40) hours in any given calendar week must have the overtime work approved in advance by his/her administrative supervisor.

Regardless of the time at which an employee arrives for work or leaves work, no overtime eligible employee shall begin work prior to his/her scheduled work hours or continue to work after his/her scheduled work hours or during a scheduled lunch period, without prior approval of the administrative supervisor.

Employees who work overtime without approval are subject to disciplinary action for failure to follow the approval process outlined in this policy.

OCSEA/AFSCME employees shall be canvassed quarterly to determine if they wish to be offered overtime opportunities. Employees who wish to be called back for overtime outside of their regular hours shall provide and keep current a residence telephone number on the canvass report and with their supervisor.

Supervisors shall develop, post and maintain overtime rosters for OCSEA/AFSCME employees. The rosters shall be updated every pay period in which any affected employee earned overtime. Overtime rosters shall be purged every quarter.

An employee who is offered but refuses any overtime assignment shall be credited on the roster with the amount of overtime refused. An employee who agrees to work overtime, then fails to report for the overtime shall be credited on the roster with twice the amount of hours accepted, unless extenuating circumstances prevented the employee from reporting. In such cases, the employee will be credited on the roster as having refused the overtime.

In the event the employer determines a need for overtime and sufficient employees are not secured through the voluntary process, the employer reserves the right to assign mandatory overtime in reverse seniority order to employees who normally perform the work.

An employee who is transferred or promoted to an area with a different overtime roster shall be credited with his/her aggregate overtime hours.

This overtime policy shall not apply to overtime which is specific to a particular employee's specialized work assignment, or when an employee is required to finish an assignment.

Vacation, sick or personal leave requested in place of overtime work will not be approved. When an employee has received approved vacation or personal leave during a regularly

scheduled work day(s), the employee will receive straight time for the approved leave. Any overtime hours worked during that week will be paid at one and one-half times the employee's regular hourly rate.

Sick leave and any leave used in lieu of sick leave shall not be considered as active pay status for the purpose of earning overtime or compensatory time.

An employee may elect to accrue compensatory time in lieu of cash overtime payment for hours in an active pay status more than forty (40) hours worked in any calendar week. Compensatory time will be earned on a time and one-half (1 ½) basis. The maximum accrual of compensatory time shall be two-hundred forty (240) hours. When the maximum hours of compensatory time accrual is reached, payment for overtime work shall be made. Compensatory time must be used within three-hundred sixty-five (365) days from when it was earned. Compensatory time not used within 365 days shall be paid to the employee at the employee's current regular rate of pay. Compensatory time is not available for use until it appears on the employee's earnings statement and on the date the funds are made available. Compensatory time must be taken at a time mutually convenient to the employee and the supervisor. Any employee who has accrued compensatory time and requests use of this compensatory time shall be permitted to use such time within a reasonable period after making the request, or if such use is denied, the compensatory time requested shall be paid to the employee at his/her option. Upon termination of employment, an employee shall be paid for unused compensatory time.

Employees who are called to report to work and do report outside their regularly-scheduled shift will be paid a minimum of four (4) hours at the straight time regular rate of pay or actual hours worked at the overtime rate, whichever is greater providing such time does not abut the employee's regular shift. Call-back pay at straight time is excluded from the overtime calculation.

IMPLEMENTATION

This policy becomes effective immediately and rescinds previous memoranda, directives or policies on the subject.

Effective Date: January 1, 2015
Updated: January 1, 2025

OHIO EXPOSITIONS COMMISSION POLITICAL ACTIVITY POLICY

GENERAL: The Ohio Expositions Commission hereby adopts this policy issued by the State of Ohio.

PURPOSE: To provide guidance for state employees who want to participate in political and other election-related activities, make campaign contributions or run for elected office as well as provide guidelines regarding appropriate employee activities concerning ballot issues.

1. Election-related activities. Different laws and rules apply to the permissibility of various election-related activities of classified versus unclassified state employees. As explained more fully below, so as to avoid any suggestion that governmental resources are being improperly used to assist candidates for public office, both classified and unclassified employees must avoid engaging in election-related activity on state time, on state property, or using state equipment (including conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any other state property or equipment). In addition, state employees may not engage in any election-related activities, which interfere with, or pose a conflict of interest with respect to, their state duties and responsibilities.
2. Classified employees are prohibited by law from engaging in certain election-related activities. Persons in active pay status serving in the competitive classified civil service are significantly limited, by law, in their ability to engage in various partisan political activities at any time, particularly elections involving candidates selected by the various political parties. Examples of both permissible and impermissible activities by classified employees are detailed below.
 - 2.1 Permissible election-related activities for classified employees. On their own time, classified employees may, by law, play only a relatively limited role in partisan campaign activities and may be somewhat more involved in non-partisan election-related activity. The following are examples of activities employees in the classified service may participate in on their own time:
 - Registration and voting;
 - Making voluntary contributions to political candidates or organizations;
 - Attending political rallies;
 - Wearing political buttons or badges.
 - Signing nominating petitions in support of individuals;
 - Expressing, to other individuals, opinions orally or in writing;
 - Displaying political materials at home or on their own personal vehicle;
 - Circulating non-partisan petitions or petitions relating to issues;
 - Running for office for which the candidates are not selected by political parties; and
 - Serving as an official election judge (poll worker) in accordance with the applicable poll worker leave policy. (See Section 8 for more information).
 - 2.2 Prohibited election-related activities for classified employees. The following are examples of activities in which employees in the classified service may not, by law, participate, even on their own time:
 - Candidacy for public office in a partisan election (i.e. – an election in which candidates are selected by political parties);

- Candidacy for public office in a nonpartisan general election if the nomination to candidacy was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party;
- Filing of petitions meeting statutory requirements for partisan candidacy to elective office;
- Circulation of official nominating petitions for any candidate participating in a partisan election;
- Service in an elected or appointed office in any partisan political organization;
- Acceptance of a political party-sponsored appointment to any office normally filled by partisan election;
- Campaigning by writing for publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success;
- Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate;
- Solicitation of the sale, or actual sale, of political party tickets;
- Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues;
- Providing assistance to any political candidate, political party or other partisan political organization with organizational and recruitment activities when such activities are directed toward party success;
- Service as witness or challenger for any party or partisan committee;
- Participation in political caucuses of a partisan nature; and
- Participation in a political action committee that supports partisan activity.

2.3 Disciplinary Action. The director of an agency may institute an investigation when there is reason to believe a classified employee has engaged in prohibited election-related and/or partisan activity. Such actions, if proven, may amount to a violation of Ohio law and could result in discipline of the employee up to and including removal.

3. Unclassified employees may, on their own time, engage in election-related and partisan activities. Employees in the unclassified service, who serve at the pleasure of the appointing authority and are not subject to competitive examination, may, on their own time, engage in partisan and election-related activities, unless otherwise specifically precluded by federal or state law. Unclassified employees may not solicit classified state employees for the financial benefit of a political party or a candidate for public office.

4. Use of state time, property and equipment. Even when state employees may participate in election-related activities, they may not, in general, engage in those activities while on state time, on state property, or using state equipment. Further guidance is provided below:

4.1 Ideally, if a state employee chooses to participate in election-related activities, those activities should be conducted on the weekends or outside normal work hours to eliminate any chance of an inadvertent violation of the law, or even the appearance of impropriety. However, a state employee may engage in permissible political activity during normal work hours if the employee uses a lunch hour, personal leave, compensatory time, or vacation leave for that purpose.

4.2 State employees who choose to participate in permissible election-related activities should, in general, do so only using a personal phone, computer or other communications device.

4.3 In order to maximize compliance with limitations against using state time, property and/or equipment for political purposes, employees should take the following precautions:

- 4.3.1 Direct incoming election-related telephone calls away from state government offices.
 - 4.3.2 Accurately and carefully document the use of the lunch hour, personal leave, compensatory time, or vacation leave when used for any permissible election-related activities. This includes ensuring that all proper approvals have been obtained.
 - 4.3.3 Interpret the terms “property” and “equipment” broadly to include state offices, conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any similar place or item.
 - 4.3.4 Take steps to avoid even the inference of the endorsement of a candidate or issue by the State of Ohio or an agency of the state by exercising caution when displaying a political pin, badge or other political paraphernalia at work.
 - 4.3.4.1 It is best if state employees – classified or unclassified – do not wear political pins, badges, clothing or other political paraphernalia to work, especially at any time they are interacting with members of the public or other state employees.
 - 4.3.4.2 While the display of a pin, sign or other political paraphernalia at a desk or in an office/cubicle is permissible when it is an employee’s dedicated personal workspace, to the extent that an employee’s workspace has exposure to others, and especially exposure to members of the public, the display of political paraphernalia is strongly discouraged.
 - 4.3.4.3 When determining the appropriateness of any display of political paraphernalia, supervisors should determine if the display has crossed, or would give others the impression of crossing, the line from personal expression to advocacy and/or could give members of the public the impression that the State of Ohio or any of its agencies are supporting a particular candidate for public office.
- 4.4 There are certain very limited, exceptional circumstances where it is permissible for a state employee to engage in communications regarding election activity during the course of the standard business day.

- 4.4.1 Such communication may be permissible if, because of the nature of an employee’s position and/or the nature of a matter being handled by the employee, it is not practically feasible to separate the employee’s state-related work from such communication. Such communications should be highly limited in time and scope, keeping in mind the principle that such communications are permissible only to the extent they are necessary to avoid the inefficiencies in the operation of state government that would flow from a more stark separation of governmental and election-related communications.
- 4.4.2 State employees should always inform third parties that it is best if they are not contacted on state time and on state equipment about political matters. Moreover, it is always best to refer political inquiries to appropriate non-state employees for comment, such as a campaign office or campaign volunteer. If the employee wishes to receive further contact on the matter, he or she should provide a personal phone number and/or email address.

4.5 Avoid even the suggestion of impropriety by considering the appearance of any conduct given the surrounding circumstances, even if that conduct is permissible under the law.

5. Solicitation by or acceptance of political contributions by elected officers

5.1 No current state elected officer, campaign committee of such an officer, employee of the state elected officer, or any other person or entity shall solicit or accept a contribution, from any of the following:

5.1.1 A state employee whose appointing authority is the state elected officer;

5.1.2 A state employee whose appointing authority is authorized or required by law to be appointed by the state elected officer;

5.1.3 A state employee who functions in or is employed in or by the same public agency, department, division, or office as the state elected officer.

5.1.4 Of particular importance is the fact that this section of the law restricts employees who work in a cabinet agency from making any contributions to the governor's committee. This limitation does not in any way prohibit those same employees from making campaign contributions to other statewide or legislative candidates.

5.2 No candidate for a state elective office, campaign committee of such a candidate, employee of the candidate's office if the candidate is a state elected officer, or any other person or entity shall solicit or accept a contribution to a candidate for a state elective office or to such a candidate's campaign committee, from any of the following:

5.2.1 A state employee at the time of the solicitation, whose appointing authority will be the candidate, if elected;

5.2.2 A state employee at the time of the solicitation, whose appointing authority will be appointed by the candidate, if elected, as authorized or required by law;

5.2.3 A state employee at the time of the solicitation, who will function in or be employed in or by the same public agency, department, division, or office as the candidate, if elected.

6. Running for elected office

6.1 Classified employees. As noted above, classified state employees, by law, may not be a candidate in a partisan election or a candidate in a non-partisan election if their nomination was obtained in a partisan primary or through the circulation of nominating petitions identified with a political party.

6.2 State employee candidacy guideline. State employees who choose to run for office and who are otherwise permitted to do so under Ohio law, must also abide by the following guidelines:

6.2.1 Conflicts. Avoiding any appearance of impropriety is a critical aspect of maintaining public confidence in public employees. When state employees run for public office, there is inherent risk that the public will confuse their state duties and responsibilities with policy positions they may take as candidates. Accordingly, conflicts of interest and appearances of conflicts of interest must be avoided in the following ways:

- 6.2.1.1 Because the General Assembly determines the budgets and policy direction of the agencies, boards, commissions, and other entities at which state employees work, no state employee may be a candidate for the General Assembly. State employees must leave state service prior to taking any official action in support of a candidacy (e.g. – creating a candidate committee, soliciting campaign contributions, etc.) for the General Assembly.
- 6.2.1.2 Candidacies for other significant elected positions (e.g., - mayor or council member of a major metropolitan area, an office with county-wide jurisdiction, etc.) also pose the kinds of risks noted above. To avoid such risks, state employees may be required to leave state service prior to taking any official action in support of such a candidacy. State employees who are otherwise permitted to do so may run for local school boards, city councils in smaller jurisdictions, and other similar positions as long as no substantial conflict exists, as determined by the employee's appointing authority, between the employee's state duties and the proposed candidacy. The person at an employee's agency, board or commission responsible for guarding against conflicts of interest should be consulted prior to any employee embarking upon any formal candidate related activity. Failure to engage in such a consultation could result in the removal of an employee who has already undertaken candidate activity.
- 6.2.1.3 Nothing in this section is intended to impact the activity of state officers, as opposed to state employees.
- 6.2.2 If a state employee runs for an office with duties which conflict with the employee's governmental duties, the employee may be informed that assuming that office, if elected, will necessitate termination of state employment. In some circumstances, activities undertaken as a candidate may, themselves, pose a conflict with an employee's current job duties and appropriate steps should be taken to avoid such conflicts.
- 6.2.3 Notice Requirement. Prior to initiating any formal actions to run for an elected office, a state employee must provide notice of his or her intent to run to the agency's chief legal counsel or to the person responsible for legal compliance. This notice allows agency legal counsel to:
- 6.2.3.1 Consult with the agency's appointing authority to determine whether an apparent or potential conflict of interest exists between the employee's job duties and the duties of the elected office or any activities likely to take place during the employee's candidacy;
- 6.2.3.2 Ascertain whether the employee is required to leave state service prior to taking any official action in support of such a candidacy, is seeking (or should seek) a leave of absence to accommodate campaign activity and whether such a leave is operationally feasible for the agency (see discussion below); and
- 6.2.3.3 Provide and discuss with the employee the attached document entitled "Political Activity Restrictions" to help assure that the employee does not violate this policy.
- 6.2.4 Instances requiring notice include:
- 6.2.4.1 Classified and/or unclassified employees running for non-partisan elected office, such as school board member, township trustee, or city council member.
- 6.2.4.2 Unclassified employees running for political party leadership positions, such as local or state central committee positions.

6.2.4.3 Unclassified employees running for full-time partisan office.

6.2.5 Leaves of Absence. Because campaigns for certain elected offices can be extremely time-consuming, some employees may wish to request unpaid leaves of absence from their state jobs when running for elected office.

6.2.5.1 When such requests are made, agency legal counsel should consult with agency leaders to determine if such a request is reasonable and if so, the period for which such a leave should be granted, considering the employee's position and how the leave of absence would impact the operations of an agency.

6.2.5.2 If it is decided that such a leave should be granted, legal counsel and the agency director may recommend a specific time period for the employee to take a leave of absence if, in their view, the particular election campaign is likely to adversely affect the employee's ability to fulfill his or her job responsibilities, but the agency can work around the employee's leave of absence.

7. Use of Vacation and Other Leave for Campaign Activity. A state employee wishing to take time off from work to assist in permissible campaign activity may do so if the employee has obtained standard permission to be absent from work. Because an employee may use vacation or other similar leave for any purpose, such an employee may engage in any permissible campaign activity while on any such approved leave. An employee wishing to take an extended leave to work on a campaign may request unpaid leave, up to six months. Unpaid leave may be granted by the employee's appointing authority and will be denied if such leave would pose operational problems to the agency.

8. Ballot issues

8.1 State employees may, without violating this policy, use state time and equipment to provide information relating to ballot issues that may affect the State and its departments.

8.2 While state employees should, in general, avoid the use of state time, equipment, or supplies to support or oppose a ballot issue, in limited circumstances it is appropriate for state employees to publicly indicate their support for or opposition to ballot issues which directly impact their state duties or responsibilities.

8.2.1 The Governor, Lt. Governor, Cabinet Members and other senior state officials are often asked to respond to questions concerning a ballot measure or asked to speak in support of, or in opposition to, a ballot measure at a public gathering or other event. These officials are well-qualified to comment on the impact any ballot initiative may have on the state or any agency's operations. This situation is similar to a cabinet member or administration official testifying before the Ohio General Assembly in support of or in opposition to a legislative measure. It is reasonable and appropriate for these state officials to advance the administration's publicly-advocated and announced policy in support of, or in opposition to, a legislative proposal impacting their official state duties. It is likewise reasonable and appropriate for administration officials to take the same approach when advocating the administration's position relative to a ballot issue.

8.2.2 Determination of when it is appropriate for a state employee to articulate an administration or agency position regarding a ballot issue resides in the discretion of the agency director.

8.3 Other permissible employee conduct. Concerning issues relevant to state responsibilities, employees may:

8.3.1 Disseminate, either verbally or in writing, objective information concerning the issue and its impact, particularly as it may relate to a specific department. The public may direct questions to affected departments and, as a result, those departments may need to prepare and disseminate objective information sheets about the issue in order to prepare their employees to answer questions.

8.3.2 Correct or clarify factual errors or misinformation concerning an issue.

8.4 Impermissible employee conduct. State employees may not use state resources to:

8.4.1 Engage in activities unrelated to their job duties or the responsibilities of state government; or

8.4.2 Develop, produce and/or disseminate campaign materials regarding a ballot issue.

9. Poll worker service. Classified or unclassified state employees who wish to work on Election Day as a poll worker (also known as an election judge) may do so in accordance with the Poll Worker Leave policies of their respective agencies. For those agencies, which have not adopted such a policy, employees may use approved vacation, compensatory, or personal leave to work at the polls. For more information on this subject, please visit the DAS Human Resources Division, Policy Development website at <https://das.ohio.gov/employee-relations/policies>.

10. When in doubt, ask! Employees with questions regarding the propriety of a particular activity should address them to their agency chief legal counsel or the person at their agency or board or commission responsible for legal compliance.

IMPLEMENTATION:

This policy becomes effective immediately and rescinds previous policies, directives and memoranda on the subject.

Effective Date: March 1, 2012
Updated: January 1, 2025

Political Activity Restrictions

The following is a short summary of the political restrictions related to running for office as a State of Ohio employee:

- Employees in the classified service may run for non-partisan offices but may not run for partisan political office. The classified service is defined as all “persons in active pay status serving in the competitive classified civil service of the state.”
- Partisan political offices are those in which candidates are selected in a partisan primary or by nominating petitions identified with a political party or in which candidates are associated on the ballot with a political party.
- Only an employee in the unclassified service may run for partisan political office.

Those running for office must abide by these restrictions (see very limited exceptions in Section 4.4. of the Political Activity Policy):

- All state employees who intend to run for office must provide notice as provided in the Political Activity Policy so as to assure compliance with its provisions.
- State employees may not participate in political activities while on State time, property or while using State equipment.
- Unclassified employees may not solicit classified state employees for the financial benefit of a political party or a candidate for public office.
- It may be necessary to request a leave of absence to run for political office. Agency Directors have discretion to decide if a request for leave is reasonable or if it should be granted.
- State equipment and time may not be used for campaigning.
 - All political telephone calls must be directed away from state offices.
 - If an employee receives an email or phone call related to political activity, the employee has an affirmative obligation to respond that he or she should not be contacted on state time and on state equipment. If the employee wishes to receive further contact on the matter, he or she should provide a personal phone number and/or email address.
 - State employees may not use state offices, conference rooms, computers, printers, office supplies, email systems, telephones, copiers, fax machines, vehicles, or any other state property or equipment to engage in election-related activities.

When in doubt, consult your agency legal counsel.



Ohio Expositions Commission

Talent Resources Policy Updates

October 3, 2025

Goals

1. Follow the State's mandated telework policy – *Welcome back to the State Fair!*
2. Establish guidelines and work rules to create effective communication between staff, supervisors, and executive leadership
3. Maintain and build synergistic collaboration, team bonding, networking both cross functional and with constituents
4. Be present to fairgoers and staff during setup, fair event and move out.
5. Succession, support for one another, and guidance to staff during a period of growth
6. The plan is to enhance workspace and environment in the next one to two years

Non-Fair and Fair Work Period

- Non-Fair Work Period - Defined as Mid-August through the 4th of July holiday
- Fair Work Period - Defined as post 4th of July holiday through mid-August (depending on when fair ends)
 - Extenuating circumstances as determined by supervisor and TR Director, but no PTO may be taken by full and part-time permanent Admin staff
 - Staff schedule: As needed and as determined by each department
 - Full and permanent staff members shall work each day of fair, pre-fair (setup week and weekends of fair as outlined in yearly memo distributed) and up to the Thursday following the fair, subject to department needs and extenuating circumstances, such as injury, illness, or other event qualifying for approved leave.
 - Friday following the last day of the fair is a scheduled day out of the office.

Core Admin Business Hours

- Non-Fair Work Period: 8 a.m. – 4 p.m.
- Fair Work Period:
 - Core business hours: as outlined by guest services, this may vary yearly from fair to fair

Staff Schedules

- Full and permanent employees:
 - Establish workday schedule
 - Between the Hours of 6:30 a.m. and 7:00 p.m.
 - Swing shifts
 - Approved by supervisor and TR Director
 - Deviations:
 - Short-term - call or message to supervisor for approval, i.e., coming in late or leaving early
 - Long-term - arranged with supervisor and approved by TR Director
 - For bargaining unit employees, no less than two weeks' notice of established work **month** schedules as dictated by the OCSEA contract.
 - Leave
 - Planned - must be pre-approved by supervisor using state form or other means of communication and posted on employee's calendar for as leave or Out of Office. For those employees (maintenance staff) who do not have access to Outlook or email, leave must be communicated with supervisor. Leave forms may be completed after returning from leave to allow for flex time and correct leave indicated on timesheet/timecard/leave form. Leave taken **MUST** be reflected on timesheet/timecard.
 - Unplanned - called in or messaged to supervisor for approval and state form completed after employee returns, or as normal policy is in effect.
 - No leave may be taken during the fair period unless extenuating circumstances exist.
 - Compensatory Time Accrued
 - Accrual of compensatory time during the non-fair period must be approved by the supervisor in advance. No such approval is required during the fair period.
 - Association and business membership activities while on state time
 - The Ohio Expositions Commission encourages active participation in professional organizations allied with the agency's business objectives and requires employees to put work duties before outside professional organization work, but understands that this is not always appropriate, and activities of the association or organization may take place over

normal business hours. Such participation during business hours is approved, so long as the following circumstances are met:

- The time taken and professional organization involved must be pre-approved by supervisor.
- Work done for the association or organization may not compromise normal work requirements and cause deadlines to be missed, undertaken during fair period, or during a pay period where compensatory or overtime is earned.
- Flex schedule
 - TBD, consider an option for staff to work in office some longer and/or shorter days during non-fair period, e.g., 4 ten-hour days, 4 nine-hour days and a ½ off during the week, or other combination thereof which ensures that 40 hours per week are worked and reflected on the employee's time sheet.
 - Supervisors should work with individual team members to coordinate the needs of the individual along with needs of department and formalize any flex schedule with the TR Director.

Illness

In the event of illness, it is requested that staff do not report to the office in the event of contracting COVID, the flu, or any bacterial/viral illness. Staff can work from home during that time if they feel well enough to do so, and if not, should take the necessary leave time.

State's Telework Mandate

Executive Order (EO) 2025-01D, issued on February 4, 2025, requires all permanent State of Ohio employees to routinely perform their duties in a state office or facility. In response, the Department of Administrative Services (DAS) updated and reissued the Statewide Teleworking Policy (HR-32). In accordance with EO 2025-01D and HR-32, our agency Telework policy has been updated and became effective March 17, 2025.

- Staff schedule modification due to distance residence to office beyond 40 miles:
 - Hybrid work schedule guidelines:
 - Full-time (Senior Leadership)
 - Non-Fair period 16-20 hours/week
 - Fair period – 30-40 hours

- Fair – pre-fair setup week, fair and post-fair move out dates
- Full-time, Administrative Staff (includes support staff & maintenance staff)
 - Non-Fair period 8-16 hours/week
 - Fair period – 30-40 hours
 - Fair - pre-fair setup week, fair and post-fair move out dates
- Part-time Staff (includes Senior Leadership, administrative Staff, support staff & maintenance staff)
 - Varies: fair planning meetings, Commission meetings, all staff meetings, other (average 2 days a month)
 - Fair - week of and week after, everyday
- In-office schedule determined by employee, supervisor, and approved by TR Director.



OHIO EXPOSITIONS COMMISSION – TELEWORKING POLICY

I. Purpose

To establish standards and guidelines for (Ohio Expositions Commission & State Fairgrounds) employees to perform their assigned job duties from a designated alternative work location (“Teleworking”) in specific circumstances as outlined under this policy.

II. Policy

The nature of public service requires an in-office presence during the Ohio Expositions Commission & State Fairgrounds standard work week and established core business hours. All permanent employees at the Ohio Expositions Commission & State Fairgrounds must perform their duties at a physical office, facility and/or location designated by the Director. Certain exceptions may apply as outlined in this policy and consistent with State of Ohio Administrative Policy HR-32 Teleworking (“HR-32”). Employees that are authorized to telework are subject to the terms of this policy and HR-32.

- a. “Telework” refers to a flexible work arrangement where an employee is directed or permitted to work remotely from a designated alternative work location (“Alternative Work Location”) outside of the traditional on-site work environment (“Office Space”). Only Agency employees who are specifically authorized pursuant to this policy can telework.
- b. Where permitted, Telework is a management option, not an employee right that an employee can expect or demand. The Agency’s decision to authorize telework is discretionary. Any teleworking arrangement is at the discretion of the agency and may be modified or terminated at any time or for any reason.
- c. Telework is distinct from occasional work which may be done remotely. Occasional remote access work, necessary to perform Agency business functions, is not Teleworking. Such remote access work has its own approval criteria and is beyond the scope of this policy. Any Agency employee with questions about remote access should direct questions to their supervisor or their Agency Human Resources (HR) staff.

III. Teleworking Deemed Necessary by the Agency:

In limited circumstances, telework may be considered for certain circumstances, classifications and/or positions as approved in Statewide Administrative Policy HR-32. Considerations are at the Agency’s discretion. Teleworking is not an employee right that the employee can expect or demand. Certain considerations are permissible under HR-32 and

this policy, and it is within the discretion of the Appointing Authority whether telework arrangements will be authorized.

Primary Considerations

- a. Real Estate Considerations. Authorized Teleworking arrangements may be permitted by the management of the Ohio Expositions Commission & State Fairgrounds where physical space limitations exist. Employees who share office/cubicle space may be required to continue a teleworking arrangement to maximize the use of existing space. Where construction in regard to the Expo 2050 Master Plan continues, in the event that office space compromises physical space limitations, authorized Teleworking arrangements may be permitted by the management of the Ohio Expositions Commission & State Fairgrounds. In both instances, should they be utilized, a review of the Teleworking arrangements shall be conducted based on a date set forth by management.

Secondary Considerations

- b. Situational Teleworking Arrangements. Teleworking may be used on a case-by-case basis due to the operational needs of the agency, as part of the agency's business continuity plan, or any other reason of the Agency that is temporary in nature and/or used in limited circumstances where there may be a benefit to the Agency to have an employee perform their assigned job responsibilities at an alternative work location. This may include, but is not limited to, approving a hybrid Telework schedule for an employee who, as of the effective date of this policy, currently resides more than 40 miles from the employee's designated physical work location pursuant to HR-32; unscheduled teleworking for situations deemed necessary during a declared Public Safety Emergency pursuant to HR-11 and/or any applicable collective bargaining agreement, health crisis, inclement weather, or other unforeseen situations. During instances of Unscheduled Telework, employees may need to transition to Telework outside of the Agency's normal procedure outlined below. The Agency Human Resources Department will provide notification to impacted employees via the Executive Director when Unscheduled Telework is deemed necessary and approved.

IV. Teleworking Authorization and Procedures for Permitted Telework Arrangements

- a. Telework may only be authorized under an exception as listed in Section III of this policy. The following arrangements that meet one of the above exceptions may be authorized:
 - i. Hybrid. A work environment that allows a blend of in-office and Telework. In these instances, an employee would work in the office on

some days and Telework on other days on a schedule determined by Agency HR and employee's supervisor.

- ii. Remote. A model of work environment that allows an employee to primarily Telework (e.g., an employee may be permitted to work from an alternative work location on most days but is still required to be onsite at regular intervals such as bi-weekly, monthly, or quarterly). In these instances, an employee would work in the office on days as designated by Agency HR and employee's supervisor but will primarily work from the alternative work location.
- b. Employees who meet the criteria for any of the telework exceptions and arrangements outlined above must be authorized to Telework in writing by the Human Resources Administrator of the Ohio Expositions Commission & State Fairgrounds. Only the Appointing Authority, or designee, in coordination with the employees Supervisor and Human Resources Administrator will determine whether an employee meets the criteria for teleworking as outlined under this policy.
- c. Prior to engaging in Telework, eligible employees must complete a Teleworking Agreement. After approval from the employee's Supervisor, Executive Director, and HR, employee will be provided the Ohio Expositions Commission & State Fairgrounds Teleworking Agreement.
- d. Process for Authorizing Unscheduled Telework. During instances of Unscheduled Telework, employees may need to transition to Telework outside of the Agency's normal procedure. The Agency Human Resources Department will provide notification to impacted employees via the Executive Director when Unscheduled Telework is deemed necessary and approved. This notification will be sent via email and/or text, Microsoft Teams messaging, or phone call. Should the unforeseen circumstance be expected to continue for more than two working days, the Executive Director shall execute a directive to employees for Unscheduled Telework via email and/or Microsoft Teams. The Agency Human Resources Department will send this notification to all affected employees.
- e. Request to Telework: Supervisors of employees may submit a teleworking request to the Ohio Expositions Commission & State Fairgrounds Human Resources department. The relevant Supervisor, Executive Director, and Agency Human Resources Administrator will discuss an employee's telework request. Upon decision of the employee's teleworking request, employee's Supervisor will submit the request to the Ohio Expositions Commission & State Fairgrounds Human Resources Administrator for agreement finalization, if any, and employee notification.

V. Employee Eligibility

Eligibility criteria are determined by the Agency as set forth in this policy. Unless otherwise directed by the Executive Director, teleworking is not available for every employee or for all positions. All the following criteria must be met for an employee to be eligible for teleworking:

- a. **JOB DUTIES:** The employee must be able to perform all necessary operational functions and job duties from the alternate work location.
- b. **PRIMARY CARE GIVER:** The employee must not be the permanent primary caregiver for any individual during scheduled work hours unless the employee is on approved leave. Alternative supervision or care outside of the teleworking location must be established prior to the initiation of teleworking. In limited and infrequent circumstances where telework as a substitute for dependent care.
- c. **ACTIVE DISCIPLINE:** The employee shall not have an active disciplinary action greater than a reprimand and shall not be the current subject of an administrative investigation.
- d. **EXECUTIVE DIRECTOR DISCRETION:** Situational telework may only be authorized for a short duration of time and must be requested and approved by an employee's supervisor and HR, at the discretion of the Executive Director.
- e. **PROBATIONARY PERIOD:** Depending on the circumstances, Telework exceptions may or may not be appropriate for newly hired or promoted employees. Considerations include: the nature of the position, ability to train remotely, the duties to be performed, supervisory approval, and other relevant factors.
- f. **PERFORMANCE:** The employee's performance in the year prior to the teleworking request must be satisfactory. If an employee is on a performance improvement plan or has declining performance, they may be denied the ability to telework or may have a previous Teleworking Agreement suspended or terminated.
- g. **DATA SENSITIVE POSITIONS:** For job functions that regularly access or input sensitive data or personally identifiable information, agencies shall consider any information security risks before approving an employee request to Telework.

VI. Employment Information for Authorized Teleworking

- a. **Compliance:** Teleworking does not affect an employee's basic terms and conditions of employment with the State of Ohio. Employees that are authorized to telework are still obligated to comply with all statewide and agency rules, policies, practices, and instructions, including, but not limited to those relating to call off procedures, work hours, leave usage, information technology, and injury

reporting. Any violation of the above may result in the suspension or termination of a Teleworking Agreement and/or disciplinary action, up to and including removal pursuant to agency work rules, applicable collective bargaining agreements, and/or applicable law.

- b. Pay and Benefits: An employee's rate of pay, retirement benefits and State of Ohio sponsored insurance coverage are not affected by telework.
- c. Schedule: Unless on approved leave, an employee authorized to telework must perform their job duties at the Alternative Work Location during their scheduled work hours. However, the agency shall maintain the right to require the employee to change their schedule and/or work location, at any time, and require the employee to report to an agency Office Space. An employee's supervisor will make a reasonable effort to provide notice to the employee in the event of a schedule change and any schedule change will be done in accordance with applicable collective bargaining agreement(s).
- d. Taxes: For payroll purposes, local tax withholding while teleworking will be done in accordance with applicable state and local tax laws and the State of Ohio Policy HR-25 regarding Municipal Income Tax Withholding.
- e. Travel: An employee authorized to telework shall adhere to all agency policies and/or any applicable collective bargaining agreement regarding travel time. Employees authorized to telework generally do not receive mileage reimbursement to or from the Alternative Work Location to agency Office Space. This is considered the employee's regular commute which is also not generally considered compensable time.

VII. Alternative Work Location

- a. Establishing an Alternative Work Location: An employee who is authorized to telework will work with their supervisor to identify the Alternative Work Location. The Alternative Work Location should be reasonably quiet and free of distractions or any noises inconsistent with an office environment. The employee(s) authorized to telework will perform their job duties at the Alternative Work Location, in accordance with the schedule identified in their teleworking agreement. However, the Agency maintains the right to require the employee to report to agency Office Space or other location as directed by their supervisor.
- b. Other Locations: Any deviations or changes to the Alternative Work Location identified in the teleworking agreement must be approved by the supervisor or Division Director, in consultation with the agency Human Resources Administrator, prior to work being performed at a different location.
- c. Inspection, Approval and Onsite Visits: The agency maintains the right to inspect and approve the Alternative Work Location before teleworking begins, or at any time during the Teleworking Agreement. Onsite visits may only be made during the employee's scheduled work hours but can be done without notice during those hours. Failure on the part of the employee to permit an onsite visit during

scheduled work hours could be cause for termination of the teleworking arrangement.

- d. Compliance with Building and Zoning Codes: Employees are responsible for ensuring that the Alternative Work Location meets all applicable building and zoning codes and that no hazardous materials are present. Any fines or fees that are incurred by the employee while teleworking are not the responsibility of the Ohio Expositions Commission & State Fairgrounds.

VIII. Equipment and Supplies

- a. Approval and Issuance: The Agency shall provide and/or approve the equipment, supplies and software that are necessary for the employee to conduct agency business while at the Alternative Work Location. Employees are generally responsible for ensuring the Alternative Work Location has adequate workspace. Employees authorized to telework shall ensure they have accounted for all their State-issued assets in accordance with the agency's asset management policies.
- b. Assessment of Equipment and Internet Capacity: An employee authorized to telework shall be responsible for ensuring adequate internet connection and capacity at the Alternative Work Location. Inadequate internet connection and capacity may result in the suspension or termination of a Teleworking Agreement. Except as otherwise required by law, all office furniture, including chairs, desks and other bulk items shall be the sole responsibility of the teleworker.
- c. Notification of Equipment or System Failure: In an event of equipment and/or system failure that prevents the performance of critical work while teleworking, the employee shall notify their supervisor immediately, so the work can be reassigned until such time the failure can be corrected. In some instances, work reassignment may result in the teleworker performing work from agency Office Space or other state location as directed by their supervisor.
- d. Purchase of Equipment: Equipment purchases must follow the existing pre-approval guidelines. Additionally, such purchases may only be authorized where the equipment is necessary for the teleworking employee to perform their job duties. For those needing equipment related to a reasonable accommodation under the ADA, please reference Agency ADA and Reasonable Accommodation Policy.
- e. Returning Equipment: Agency-owned equipment provided to an employee shall remain the property of the agency. Upon termination of an employee's employment, the employee shall return all equipment provided by the Agency. Such equipment shall be returned in the same operating condition as it was received.
- f. Usage: The use of equipment, software, data, and supplies, if provided by the agency, is limited to use by authorized persons and for purposes related to State business only
- g. Security: An employee authorized to telework will be responsible for the security of all items furnished to them by the State. Employees shall be responsible for protecting all data assessed and extreme care shall be taken regarding sensitive

data and/or personally identifiable information. All such data must be maintained in accordance with Agency policies, standards, and procedures.

- h. Office Supplies: Expenses for supplies regularly available from Agency will not be reimbursed unless pre-purchase approval has been granted by the teleworker's supervisor. Employees may not use an assigned procurement card to purchase items available from the agency.
- i. Personal Equipment and Supplies: An employee authorized to telework will be responsible for the cost of maintenance, repair, and operation of all personal equipment not provided by the State.

VIII. Internet Service, Utilities, and Other Costs

- a. Except for those employees who are provided a State-issued hotspot device due to the nature of their job, the Agency will not reimburse or otherwise pay for the cost(s) to provide internet service to an Alternative Work Location or to a location where an employee performs remote work. This includes routers, modems, software, or any other costs related to the teleworker's internet service.
- b. Except for those employees who are provided a State-issued mobile device (i.e., smartphone, tablet) due to the nature of their job, the agency will not reimburse, or otherwise pay for, the cost(s) to provide phone or data service to an Alternative Work Location or to a location where an employee performs remote work. This includes the cost of the device itself and any repair or maintenance cost, upgrades, or any other service or cost related to the mobile device or any of its features.
- c. The Agency will not reimburse, or otherwise pay for, the cost(s) to provide utilities to an Alternative Work Location or to a location where an employee performs remote work.
- d. The Agency will not reimburse, or otherwise pay for, the cost(s) to use or maintain the Alternative Work Location or the location where an employee performs remote work. This includes mortgage payments, rents, office sharing fees, maintenance or repair costs, or any other cost.
- e. The Agency will not reimburse, or otherwise pay for, any damage to personal or real property that occurs as a result of Telework.

X. Communication and Monitoring When Authorized to Telework

- a. Availability: An employee authorized to telework must be reachable during scheduled work hours.
- b. Supervisor Responsibility: The employee's supervisor will be responsible for ensuring work conducted at an Alternative Work Location while teleworking is monitored and that all necessary supervisory functions are performed, including approval of hours worked and leave requests.
- c. Compliance: All expectations of compliance with existing statewide and agency policies and procedures or applicable collective bargaining unit agreements are unaffected by telework.

- d. **Disciplinary Action:** The agency may take appropriate disciplinary action, up to and including removal, if an employee fails to comply with the provisions of this teleworking policy and/or their Teleworking Agreement. Modification, suspension, or termination of a Teleworking Agreement does not constitute disciplinary action.

XI. Injuries

- a. **Workers' Compensation:** Teleworking is covered under the State of Ohio workers' compensation law for injuries occurring in the course and arising out of the performance of official duties at Agency Office Space or Alternative Work Location.
- b. **Liability:** Other than injuries discussed above in this section of the policy, the Agency is not liable for any accidents and/or injuries resulting from the teleworker's failure to comply with all safety and health rules and regulations and any violation of the agency's Teleworking Policy. The teleworker, not the agency, shall be responsible for the teleworker's own damages and non-compensable injuries and for any third party's damages and injuries resulting from the teleworker's failure to comply with all safety and health rules and regulations and any violation of the agency's Teleworking Policy.

XII. Public Records Requirement

Although employees authorized to telework may perform work off-site, public records requirements in Chapter 149 of the Ohio Revised Code and agency's policy still apply, even when personal phone or IT equipment is used to perform the work. Teleworkers shall comply with all applicable agency record retention schedules.

XIII. Termination of Telework Arrangement

The approval of a Teleworking Agreement is at the discretion of the Agency Director and/or the Agency Human Resources Administrator and may be modified, suspended, or terminated at any time.

Termination, Resignation or Transfer of Employment: In the event of termination, resignation, or transfer of employment from the Agency, the teleworker shall be required to promptly return all State-owned equipment, supplies, and data. If personal IT equipment was authorized for State business use, all State data shall be removed from the personal IT equipment.

XIII. Definitions

A. **Field Work.** An employee that spends the majority of his/her time away from the employee's headquarter location. Field workers are not Teleworkers simply because the nature of their job duties requires them to spend time away from the headquarter

location. However, Agencies may consider utilizing Telework for field workers when such an arrangement would benefit the Agency.

B. Information Technology (IT) Equipment. For the purposes of this policy, any information technology equipment, such as computer hardware; telecommunications equipment; digital devices such as digital copiers and facsimile machines; mobile computing devices; operational technology (e.g., building and manufacturing controls); or Internet of Things (IoT) devices that are capable of persistent data storage.

C. Information Technology (IT) Resources. Any information technology resource, such as computer hardware or software, IT services, telecommunications equipment and services, digital devices such as digital copiers and facsimile machines, supplies and the Internet, made available to employees, contractors, temporary personnel, and other agents of the state in the course of conducting state government business in support of Agency mission and goals.

D. Hybrid Work. A model of work environment that allows a blend of in-office and Telework. In these instances, an employee would work in the office on some days and Telework on other days on a schedule determined by the employee's supervisor.

E. Mobile Device. Portable computing device that: (i) has a small form factor such that it can easily be carried by a single individual; (ii) is designed to operate without a physical connection (e.g., wirelessly transmit or receive information); (iii) possesses local, non-removable or removable data storage; and (iv) includes a self-contained power source. Mobile devices may also include voice communication capabilities, on-board sensors that allow the devices to capture information, and/or built-in features for synchronizing local data with remote locations. Examples include smartphones, tablets, and E-readers.

F. Personally Identifiable Information (PII). Information that can be used directly or in combination with other information to identify a particular individual. It includes:

1. A name, identifying number, symbol, or other identifier assigned to a person;
2. Any information that describes anything about a person;
3. Any information that indicates action done by or to a person; and/or
4. Any information that indicates that a person possesses certain personal characteristics.

G. Sensitive Data. Sensitive data is any type of data that presents a high or moderate degree of risk if released, disclosed, modified, or deleted without authorization. There is a high degree of risk when unauthorized release or disclosure is contrary to a legally mandated confidentiality requirement. There may be a moderate risk and potentially a high risk in cases of information for which an Agency has discretion under the law to release data, particularly when the release must be made only according to Agency policy or procedure. The data may be certain types of personally identifiable information that are also sensitive such as medical information, social security numbers, and financial account numbers. It includes Federal Tax Information under IRS Special Publication 1075, Protected Health Information under the Health Insurance Portability and Accountability Act, Criminal Justice Information under

Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security Policy, and the Social Security Administration Limited Access Death Master File. The data may also be other types of information not associated with a particular individual such as security and infrastructure records, trade secrets and business bank account information.

H. Telework or Teleworking. A flexible work arrangement where an employee is directed or permitted to work remotely from a designated alternative work location.

I. Virtual Private Network (VPN). A protected information system link utilizing tunneling, security controls, and endpoint address translation giving the impression of a dedicated line.

XIII. Revision History

a. February 27, 2025



State of Ohio Administrative Policy

No: HR-32

State Human Resources Division

Effective:

February 6, 2025

Teleworking

Issued By:

Kathleen C. Madden, Director

I. Purpose

To establish statewide standards and guidelines for **Teleworking** arrangements where an employee is directed or permitted to work from a designated alternative work location in specific circumstances as outlined in this policy. The standards and guidelines contained in this policy shall be used by agencies in drafting agency specific Teleworking policies. This policy also contains requirements for the use of technology and protection of data while Teleworking, which should be incorporated into agency specific Teleworking policies. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all state agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies).

III. Policy

Effective March 17, 2025, all permanent state employees should regularly perform their duties at a physical office, facility, and/or location designated by the appointing authority and not remotely or in a **hybrid** work environment. The nature of public service requires full-time in-office presence during the Agency's standard workweek and established core business hours.

Agencies should continue to maintain agency specific policies consistent with this statewide policy. Consistent with Section III.A. of this policy, Appointing Authorities may consider exceptions they deem necessary. Any resulting Teleworking arrangements granted through such exceptions must be in compliance with this policy. Where Telework is permitted under Section III.A of this policy, it is considered a management option and not an employee right that an employee can expect or demand. Any Teleworking arrangement is at the discretion of the Appointing Authority and may be modified or terminated by the Appointing Authority at any time and for any reason. Agencies shall clearly state this in the Agency policy.

Telework is distinct from occasional work which may be done remotely. Occasional remote access work, necessary to perform Agency business functions, is not Teleworking. Such remote access work has its own approval criteria and is beyond the scope of this policy. Any Agency employee with questions about remote access should direct questions to their Agency Human Resources (HR) staff.

- A. **Exceptions Deemed Necessary by the Appointing Authority:** Appointing Authorities may determine that Telework is necessary for certain limited classifications and/or positions. Appointing Authorities are responsible for ensuring that any exceptions are in compliance with this statewide policy and Executive Order 2025-01D. Approved exceptions to this policy include:

Primary Considerations

1. **Field Work** Arrangements: The Appointing Authority shall determine which classifications or positions have duties that are performed primarily in the field. Once identified, employees holding those classifications or positions may be eligible for Teleworking.
2. **Real Estate Considerations:** DAS has assisted some agencies in eliminating all or a portion of the agency's real estate portfolio resulting in significant taxpayer savings, therefore all agencies are required by DAS to maximize the use of existing state-owned or leased space. Appointing Authorities shall prioritize return to a physical office and/or facility for eligible employees who can do so expeditiously (e.g., the employee currently has an assigned office or cubicle and does not share that office or cubicle with another employee or DAS has identified available office space that the agency may use).

Secondary Considerations

3. **Situational Teleworking Arrangements:** Case-by-case situations due to the specific operational needs of the Agency, as part of an Agency's business continuity plan, or any other reason that would benefit the Agency to have an employee perform their assigned job responsibilities at an alternative work location. For example, Teleworking may be an option for an employee who is absent from the workplace but can still perform their job functions from an alternative location (i.e. during inclement weather.) An Appointing Authority may approve Telework for an employee who as of the effective date of this policy currently resides more than 40 miles from the employee's designated physical work location.
4. **Functions of a classification:** Prior to March of 2020, limited Teleworking was approved by DAS for certain classifications whose functions were not primarily conducted in the field but could still be fulfilled in a Teleworking environment. In limited circumstances, Appointing Authorities may consider an exception for those types of classifications, or those unique and exceptional situations deemed necessary by the Appointing Authority.

- B. **Authorized Teleworking Arrangements:** Where Appointing Authorities have determined there are exceptions permitted under this policy, Agencies must establish an authorization process in the agency specific policy. Individual Telework agreements should be completed before Teleworking commences whenever practicable. The Telework agreements should be reviewed annually for arrangements allowed under this policy; the following Telework arrangements may include:
1. **Hybrid Work Arrangement:** A model of work environment that allows a blend of in-office and Telework. In these instances, an employee would work in the office on some days and Telework on other days on a schedule determined by the employee's supervisor.
 2. **Remote Work Arrangement:** A model of work environment that allows an employee to primarily Telework (e.g. an employee may be permitted to work from an alternative work location on most days but is still required to be onsite in regular intervals such as bi-weekly, monthly, or quarterly). In these instances, an employee would work in the office on periodic days as designated by the Appointing Authority but will primarily work from the alternative work location.
- C. **Eligibility:** When permitted, employees still need to meet the specific eligibility criteria for Teleworking as determined in agency policy. In general, the Agency shall determine the eligibility criteria. For example, the Agency may take into account the employee's most recent performance evaluation, history of poor information security practices (e.g., an employee who repeatedly responds to phishing attempts), or an employee's active disciplinary record. For certain classifications, the Agency may require that an employee successfully complete their probationary period before entering into a Teleworking arrangement. For job functions that regularly access or input **Sensitive Data** or **Personally Identifiable Information (PII)**, Agencies shall consider ways to minimize any information security risks before determining that Telework is not an option (see section III.G. below).
- D. **Roles and Responsibilities:** Where Telework is permitted, the employee (Teleworker), the supervisor, managers, Agency HR, and information technology office must each play an important role. All parties must read the statewide and Agency Telework policies and the individual Telework agreement and address any questions as soon as possible.
1. **Role of the Appointing Authority:** Appointing Authorities are responsible for establishing an agency specific Teleworking policy that is in compliance with this statewide policy and certifying to DAS that any exceptions granted under this, and the agency policy comply with Executive Order 2025-01D.
 2. **Role of the Teleworker:** The Teleworker is responsible for performance of all regular job duties, unless modified by the supervisor or in the Telework agreement. The Teleworker is responsible for communicating to the supervisor any circumstances that prevent the Teleworker from being available via that communication method during work hours (e.g., power outage at the alternative work location). The Teleworker is also responsible for

regular communication with the supervisor in the manner/method established by the supervisor and Teleworker.

3. **Role of the Supervisor:** The supervisor continues to be responsible for day-to-day work direction and performance monitoring of the Teleworker. Although the methods of observation may change in a virtual environment, the obligations of the supervisor to communicate expectations and provide performance feedback are the same as if the employees were in a traditional office setting. At the start of the Telework arrangement, the supervisor and the Teleworker must establish a method of communication while the employee is Teleworking. Teleworkers must be available for contact by the Agency at their Teleworking location during their approved work schedule.
 - a) The supervisor is responsible for communicating with Agency HR representatives if there are any circumstances impacting the Telework arrangement (e.g., declining performance or consistent connectivity issues).
 - b) The supervisor shall also be responsible for establishing a regular work schedule with the Teleworker and communicating to the Teleworker any expectations to report to a location other than the alternative work location.
 - c) The supervisor shall establish a plan with the Teleworker to address unexpected contingencies that may impair a Teleworker's ability to complete regular job duties (e.g., power outage, internet outage).
 4. **Role of the Manager:** The manager of any office, department, or division where employees are Teleworking is responsible for reviewing the Telework program periodically to ensure that it is meeting the stated objectives. Any concerns should be brought to Agency HR. The manager is also responsible for ensuring that supervisors and Teleworkers have established appropriate methods of communication and that expectations are being communicated clearly to Teleworkers.
 5. **Role of Agency HR:** Agency HR representatives will serve as coordinators of the Agency's Telework program. HR plays an integral role in determining eligibility for Telework in the Agency. HR also helps facilitate interaction with Agency information technology personnel to ensure that Teleworkers have access to appropriate equipment and technology necessary to perform their jobs. HR is responsible for ensuring that managers and supervisors are aware of expectations and have the necessary tools to monitor employee performance while Teleworking. HR shall also ensure that Teleworkers have access to information regarding setting up an ergonomic workstation.
 6. **Role of Agency Information Technology:** Agency information technology offices must establish standard **Information Technology (IT) Equipment** for Teleworkers and procedures for providing IT support to Teleworkers. Agency HR shall coordinate with the Agency IT office to identify situational Telework arrangements that the Agency IT office may need to support.
- E. **Employment Information:** Agencies shall also address certain employment information within the Agency policy to ensure that both the Teleworker and the Agency understand how Teleworking impacts other areas of employment in the Agency policy. The following is a non-exhaustive list of considerations.

1. **Conditions of Employment:** Teleworking does not affect employees' basic terms and conditions of employment with the State of Ohio. Employees are still obligated to comply with all statewide and Agency rules, policies, practices, and instructions. Teleworkers must understand that violation of such may result in removal from Teleworking and/or disciplinary action, up to and including removal pursuant to Agency work rules, any applicable collective bargaining agreements, and/or applicable law.
 2. **Pay and Benefits:** A Teleworker's rate of pay, retirement benefits, and State of Ohio sponsored insurance coverage are not affected by the Teleworking arrangement.
 3. **Leave:** Any request for leave while participating in a Teleworking arrangement shall be made in accordance with the applicable Agency policy and procedure for requesting and obtaining approval to use leave. In the event of an illness, a Teleworker must comply with Agency call off policies and procedures.
 4. **Overtime:** A Teleworker earns overtime or compensatory time in accordance with State of Ohio or Agency policy or applicable collective bargaining agreement while participating in a Teleworking arrangement. Agencies shall continue to require pre-approval when applicable.
 5. **Work Location/Temporary Reassignment:** The Teleworker will perform their job duties at the designated alternative work location. However, the Agency shall maintain the right to require the employee to change their schedule or work location based on operational need if the employee's presence is required in the office or at another location (e.g., a training site). The Agency shall make an effort to provide reasonable notice to the employee in the event of a schedule change.
 6. **Travel Time/Travel Reimbursement:** Travel time and travel reimbursement may differ based on different circumstances. Agencies should also refer to the applicable collective bargaining agreement for specific provisions related to travel.
 - a) Generally, employees do not receive mileage reimbursement from the alternative work location to the location where the employee would be working if the employee was not Teleworking. This is considered the employee's regular commute.
 - b) Travel time expectations should be clearly established between the Teleworker and the supervisor, with guidance from HR to ensure consistency. Generally, if the Teleworker is directed to report for the day to the location where the employee would be working if the employee was not Teleworking, travel time should not be counted as work time. If the Teleworker is traveling as part of the workday to locations other than the alternative work location, travel time should be counted as work time.
- F. **Alternative Work Location:** For other than situational Teleworking arrangements, the Agency must work with the Teleworker to identify the alternative work location and indicate the space where the work will be performed and where equipment can be installed for conducting Agency business, if necessary.
1. Generally, Teleworking locations should be reasonably quiet, free of distractions or any noises inconsistent with an office environment and provide for privacy to prevent the inadvertent disclosure of sensitive information if applicable. For situational Teleworking arrangements, this may be at the discretion of the Agency.

2. The Agency shall retain the right to inspect and approve the alternative work location before the Teleworking can begin. For employees who primarily Telework during regularly scheduled work hours, it is a best practice for Agencies to document the location of the alternative work location and establish a process and notice requirements for the Teleworker if they wish to change the designation of this location.
 3. Teleworkers not designated to work in a State building shall be responsible for ensuring that their Teleworking location meets all applicable building and zoning codes and that no hazardous materials are present in the alternative work location. Any fines or fees that are incurred by the Teleworker while participating in a Teleworking arrangement will not be the responsibility of the Agency.
 4. Prior to the start of a Telework arrangement, the Teleworker may be required to complete a self-certification safety checklist. A link to an example can be found in Section VI. Resources below.
- G. **Other Considerations for Agency Policies:** The following is a non-exhaustive list of other topics that are recommended for inclusion in Agency specific Teleworking policies.
1. Equipment and Supplies: If additional equipment and supplies are required, other than those that an employee normally maintains (e.g., a laptop computer), an Agency Teleworking policy and the employee's Telework agreement shall address who is responsible for providing equipment and/or supplies while an employee is Teleworking.
 - a) Agencies shall provide and/or approve the equipment, supplies and software that are necessary for the Teleworker to conduct Agency business while at the alternative work location. Agencies shall consider information security and privacy risks when providing and/or approving equipment.
 - b) General office supplies shall be provided by the Agency.
 - c) Agencies are not under any obligation to reimburse a Teleworker for any out-of-pocket expenses for supplies. Teleworkers shall go through normal Agency channels to request needed supplies that are not available at the office location.
 - d) Teleworkers are typically responsible for ensuring that the alternative work location has adequate Internet capabilities to perform Agency business.
 - e) Teleworkers are responsible for providing their own office furniture and space. Teleworkers are responsible for the cost of maintenance, repair and operation of any personal equipment not provided by the State.
 - f) Agency policies shall provide that Teleworkers are responsible for physically securing their equipment, data, and hard copy documents and files in accordance with Agency and statewide policies, including State of Ohio Administrative Policy IT-14 Data Encryption and Securing Sensitive Data.
 - g) Agencies should consider using automated or paperless systems for Teleworkers instead of hard copy documents, whenever possible.
 - h) If a Teleworker must print and/or maintain hard copy documents that contain Sensitive Data or PII, the Agency should consider providing the Teleworker with a secure and appropriate method for doing so (e.g., providing a lock box and/or a shredder, or access to a printer).

2. **Public Records Requirements:** Teleworkers shall be informed that although work may be performed off-site and possibly even with personal IT Equipment, public record requirements as outlined in ORC Section 149.43 and in Agency and statewide policy still apply, including State of Ohio Administrative Policy IT-07 Electronic Records. Teleworkers shall also comply with all applicable statewide and Agency record retention schedules. Agencies shall ensure that Teleworkers understand that personal or state-issued **Mobile Devices** (e.g., smartphone, tablet) shall never be the single, authoritative source for state data. Records on a Mobile Device shall be considered records in transit and shall never be stored permanently on a personal or state-issued Mobile Device.
3. **Worksite Visits:** While participating in a Teleworking arrangement, the Agency shall retain the right to conduct onsite visits to the alternative work location. Visits shall only be made during the Teleworker's scheduled work hours, but the Agency does not have to give the Teleworker advance notice of the visit. Failure on the part of the Teleworker to permit an on-site visit may be cause for termination of the Teleworking arrangement. If the alternative work location is the employee's residence, the visit shall be conducted by two Agency representatives.
4. **Dependent Care:** Teleworking is not a substitute for dependent care. The Teleworker must not be the permanent primary caregiver for any individual during the Teleworker's scheduled work hours. Alternative supervision or care outside of the Teleworking location must be established prior to the initiation of Teleworking. Agencies may request documentation to ensure that the employee is not using Teleworking as a substitute for dependent care. In limited and infrequent circumstances where an employee is able to complete assigned duties while also caring for a dependent (e.g., a sick child must stay home from school), the employee may still be permitted to Telework, even if only for a portion of the work day.
5. **Injuries:** Teleworking is covered by the State of Ohio workers' compensation laws for injuries occurring during and arising out of the performance of the employee's official job duties. The Teleworker and the Teleworker's supervisor shall be required to follow any applicable policies regarding the reporting of injuries for employees injured while at work. Other than the injuries discussed above in this section, the State of Ohio is not liable for any accidents and/or injuries resulting from the Teleworker's failure to comply with all safety and health rules, regulations, or any violation of the statewide Teleworking policy. The Teleworker, and not the State of Ohio, shall be responsible for the Teleworker's own damages, non-compensable injuries, and for any third party's damages, and injuries resulting from the Teleworker's failure to comply with all safety and health rules and regulations and any violation of the statewide Teleworking policy.
6. **Termination of the Teleworking Arrangement:** Any Teleworking arrangement is at the discretion of the Agency and may be modified or terminated by the Agency at any time and for any reason. Agencies shall clearly state this in the Agency policy.
7. **Termination/Resignation of Employment:** In the event of termination or resignation from employment with the State of Ohio, the Teleworker shall be required to promptly return any state-owned equipment, supplies, and data. If personal IT equipment was authorized for state business use, any state data shall be removed from the personal IT equipment. Agencies shall have procedures in place to include appropriate security measures to

protect state data and equipment. Agencies shall ensure that they adhere to the requirements outlined in State of Ohio Administrative Policy IT-05 Disposal, Servicing and Transfer of IT Equipment.

8. Discipline: All expectations of compliance with existing statewide and Agency policies and procedure and/or collective bargaining agreements are unaffected by the Teleworking arrangement. The Agency may initiate disciplinary action, up to and including removal, if a Teleworker fails to comply with the provisions of the Teleworking policy or any other Agency work rules. Revocation of the Teleworking arrangement does not constitute a disciplinary action.
- H. **Use of Information Technology while Teleworking:** For an employee who is permitted to Telework, in most circumstances, the use of **Information Technology (IT) Resources** is required. Agencies are encouraged to address items related to the use of IT resources in the Agency specific Teleworking policy. However, the following items apply to all Agencies, boards, and commissions that authorize Telework and to the Teleworkers in Agencies, boards, and commissions covered by this policy.
1. Technology Compliance: Teleworkers shall agree to comply with all Ohio and Agency information technology (IT) policies, standards and procedures regarding IT resources, software licensing, remote access, **Virtual Private Networks (VPN)**, security, and overall management/support requirements. In addition, authorized Teleworkers shall agree not to modify or alter any IT configuration settings without prior approval.
 - a) The use of state IT resources shall comply with State of Ohio Administrative Policy IT-04 Use of Internet, E-mail and Other IT Resources, as well as with any Agency policies on the appropriate use of state IT resources.
 - b) In addition, Agencies and Teleworkers shall ensure that any software that is used complies with State of Ohio Administrative Policy IT-03 Software Licensing. Agencies shall address technology compliance in the Agency policy and any Teleworking agreements.
 2. IT Security and Privacy Requirements: Teleworkers are responsible for the security and protection of any IT equipment and resources provided to them. Teleworkers are also responsible for helping to ensure the privacy of state information. Any IT resources owned by the State of Ohio shall only be used and operated by the authorized Teleworker. When a personal device is authorized for state business use, Teleworkers shall not allow any unauthorized parties to use the IT equipment when he/she is authenticated to state services.
 - a) Agency CIOs/lead IT administrators or their designee shall ensure that all approved Telework applications meet the specified IT participation requirements. Any specified IT security requirements shall be in alignment with State of Ohio IT Standard ITS-SEC-02 Enterprise Security Controls Framework.
 - b) Agency CIOs/lead IT administrators or their designee shall also require that the information assets used to connect to the Agency IT infrastructure are checked periodically to validate that up-to-date operating system software and security software are in use (e.g., antivirus, firewall). If a personal device is authorized for

- state business use, Agencies shall periodically assess the controls to ensure the assets are operating securely.
- c) Agencies are encouraged to have Teleworkers regularly review required IT security training.
 3. Access to State Resources: Teleworkers shall only be granted access to those resources which are necessary to carry out work assignments. For instance, a Teleworker may only need access to state e-mail and a telephone to complete Telework assignments. Teleworkers may not necessarily need the same level of access provided at the main work site.
 4. Protecting Sensitive Data and/or PII: Teleworkers shall protect all data, but extreme care shall be taken regarding Sensitive Data and/or PII. All Sensitive Data and/or PII shall be maintained in accordance with any applicable federal law (e.g., Protected health information under the Health Insurance Portability and Accountability Act (HIPAA), Federal Tax Information under the Internal Revenue Code, Criminal Justice Information governed by Federal Criminal Justice Information Services (CJIS) Policy, and Social Security Administration data governed by the Social Security Act), Ohio Revised Code, State of Ohio and Agency policies, standards and procedures, including State of Ohio Administrative Policy IT-14 Data Encryption and Securing Sensitive Data. Agencies, if necessary, may prohibit employees with access to Sensitive Data and/or PII from participating in Telework if the risk outweighs the benefit to the Agency.
 5. Incident Response: Agencies shall ensure Teleworkers understand statewide and Agency incident response procedures and immediately report lost, stolen or potentially compromised IT equipment, compromised accounts, and/or state data in accordance with State of Ohio Office of Information Technology (OIT) Enterprise Procedure OEP-SEC.4001 Statewide Incident Response Reporting.
 6. IT Support Expectations: Agencies shall develop plans that clearly define the level of IT support that will be provided for Teleworkers. Agencies shall identify whether or not personal IT equipment will be supported. Agencies are under no obligation to provide support for personal IT equipment authorized for state business use.
- I. **Procedures:** Appointing Authorities are responsible for updating their agency specific policy in compliance with this policy and Executive Order 2025-01D, specifically ensuring that the state employees routinely perform their duties onsite at a physical office, facility and/or location designated by the Appointing Authority. Appointing Authorities are responsible for justifying the need for an exception as outlined by Section III.A and must certify to DAS that those exceptions comply with this policy and Executive Order 2025-01D. Upon request, agencies shall provide DAS with information on how the agency has met the requirements of Section III of this policy, including any justifiable exceptions.

IV. Definitions

- A. Field Work. An employee that spends the majority of his/her time away from the employee's headquarter location. Field workers are not Teleworkers simply because the nature of their job duties requires them to spend time away from the headquarter location. However,

Agencies may consider utilizing Telework for field workers when such an arrangement would benefit the Agency.

- B. Information Technology (IT) Equipment. For the purposes of this policy, any information technology equipment, such as computer hardware; telecommunications equipment; digital devices such as digital copiers and facsimile machines; mobile computing devices; operational technology (e.g., building and manufacturing controls); or Internet of Things (IoT) devices that are capable of persistent data storage.
- C. Information Technology (IT) Resources. Any information technology resource, such as computer hardware or software, IT services, telecommunications equipment and services, digital devices such as digital copiers and facsimile machines, supplies and the Internet, made available to employees, contractors, temporary personnel, and other agents of the state in the course of conducting state government business in support of Agency mission and goals.
- D. Hybrid Work. A model of work environment that allows a blend of in-office and Telework. In these instances, an employee would work in the office on some days and Telework on other days on a schedule determined by the employee's supervisor.
- E. Mobile Device. portable computing device that: (i) has a small form factor such that it can easily be carried by a single individual; (ii) is designed to operate without a physical connection (e.g., wirelessly transmit or receive information); (iii) possesses local, non-removable or removable data storage; and (iv) includes a self-contained power source. Mobile devices may also include voice communication capabilities, on-board sensors that allow the devices to capture information, and/or built-in features for synchronizing local data with remote locations. Examples include smartphones, tablets, and E-readers.
- F. Personally Identifiable Information (PII). Information that can be used directly or in combination with other information to identify a particular individual. It includes:
 - 1. A name, identifying number, symbol, or other identifier assigned to a person;
 - 2. Any information that describes anything about a person;
 - 3. Any information that indicates action done by or to a person; and/or
 - 4. Any information that indicates that a person possesses certain personal characteristics.
- G. Sensitive Data. Sensitive data is any type of data that presents a high or moderate degree of risk if released, disclosed, modified, or deleted without authorization. There is a high degree of risk when unauthorized release or disclosure is contrary to a legally mandated confidentiality requirement. There may be a moderate risk and potentially a high risk in cases of information for which an Agency has discretion under the law to release data, particularly when the release must be made only according to Agency policy or procedure. The data may be certain types of personally identifiable information that are also sensitive such as medical information, social security numbers, and financial account numbers. It includes Federal Tax Information under IRS Special Publication 1075, Protected Health Information under the Health Insurance Portability and Accountability Act, Criminal Justice Information under Federal Bureau of Investigation's Criminal Justice Information Services (CJIS) Security Policy, and the Social Security Administration Limited Access Death Master File. The data may also be other types of information not associated with a particular individual such as security and infrastructure records, trade secrets and business bank account information.
- H. Telework or Teleworking. A flexible work arrangement where an employee is directed or permitted to work remotely from a designated alternative work location.

- I. Virtual Private Network (VPN). A protected information system link utilizing tunneling, security controls, and endpoint address translation giving the impression of a dedicated line.

V. Authority

Executive Order 2025-01D
OAC 123:1-47-01(B)

VI. Resources

Document Name	Location
Workstation Safety Checklist	https://das.ohio.gov/employee-relations/policies/teleworking-policy

VII. Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy
Office of Collective Bargaining
Ohio Department of Administrative Services
4200 Surface Road
Columbus, Ohio 43228

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
<https://das.ohio.gov/home/policy-finder/filter-policy-finder>

VIII. Revision History

Date	Description of Change
06/27/2016	Original policy.
12/11/2020	Revised policy, added roles and responsibilities, updated IT terminology.
08/26/2021	Reissued policy.
12/02/2022	Revised policy, added an annual requirement for policy submission, and included expectations for agencies.
08/30/2023	Housekeeping changes made and policy reissued in new statewide policy template.
02/06/2025	Revised policy to ensure state employees are routinely performing functions from a physical office, facility, or work location designated by the Appointing Authority.

OHIO EXPOSITIONS COMMISSION TIME AND ATTENDANCE POLICY

A. GENERAL:

The Department of Administrative Services requires that all state agencies create a time and attendance policy.

In order to meet our obligation to provide superior customer service and accountability to taxpayers and our customers, the state has determined that statewide standardization of certain areas related to time and attendance must be implemented.

To that end, the Ohio Expositions Commission (OEC) has developed the following time and attendance policy.

A. RECORDS OF ACTUAL HOURS WORKED - REQUIREMENT:

The Federal Fair Labor Standards Act (FLSA) requires employers to keep certain records on behalf of employees. The Act requires no particular form for the records, but does require certain identifying information about each employee and precise and accurate data about the number of hours worked and the amount of wages earned. Additionally, there is a state requirement for employers to keep certain records on behalf of their employees. Under Article II, section 34(a) of the Ohio Constitution and section 4111.14 of the Revised Code, employers in the State of Ohio are required to maintain records of the hours worked for each day worked for at least three years following the last date the employee was employed.

To comply with both the FLSA and state requirements, the following is a list of timekeeping information that each agency is required to record:

- Time of day the employee begins and ends work on any given day
- Hours employee worked each day
- Total hours employee worked each work week
- A list of aggregate hours worked by an employee will not satisfy these requirements. Instead, agencies are required to keep a record of the time of the day the employee begins and ends work on each day the employee is scheduled to work.

B - 1 RECORDS OF ACTUAL HOURS WORKED - OEC POLICY:

In keeping with the above, the Ohio Expositions Commission's time keeping policy will remain as follows:

- Maintenance Union Employees - clock in and out on the time clock
- Maintenance Exempt Overtime Eligible Employees - record their hours on a timecard
- Maintenance Overtime Exempt Employees - record their hours on a time sheet
- Administration Union Employees - record their hours on a timecard
- Administration Exempt Overtime Eligible Employees - record their hours on a timecard
- Administration Overtime Exempt Employees - record their hours on a time sheet
- Important Note: Supervisors must approve timecards and time sheets and are responsible for verifying the accuracy of the employee's record.

C. AGENCIES MUST OBSERVE SET STANDARDIZED CUSTOMER SERVICE HOURS - REQUIREMENT:

“Customer service hours” are defined as inflexible hours of the day and week during which an agency must be functionally staffed. The State of Ohio has elected to adopt customer service hours of 8:00 am to 5:00 pm, from Monday through Friday. At a minimum, agencies must ensure that they are adequately staffed to perform all of the business administrative functions for both internal and external customers during these hours. Business administrative functions may include, but are not limited to, answering telephones, responding to inquiries from the public and other state agencies, etc.

Once an agency has ensured that it is adequately staffed from 8:00 am to 5:00 pm, it may offer employees an alternative work schedule that offers flexibility in the scheduling of hours worked. The decision to offer a flexible work schedule during non-customer service hours remains solely at the discretion of the appointing authority. Agency management retains the right to determine when alternative work schedules are practical and to adjust the number of employees approved for such schedules as appropriate. Service to the public and administrative support services within the agency will be of controlling importance.

C - 1 CUSTOMER SERVICE HOURS - OEC POLICY:

In keeping with the above, the Ohio Expositions Commission's customer service hours will be 8:00 am to 5:00 pm, Monday through Friday. The Administration Building lobby will be staffed during those hours. Other departments may, with management approval, offer employees alternative work schedules that offer flexibility in the scheduling of hours worked. Each employee's work schedule must be approved in advance by their manager or supervisor, and be kept on file at the agency level. Similarly, changes in schedules for bargaining unit staff will be governed by the applicable

collective bargaining agreement.

- D. OVERTIME EXEMPT EMPLOYEES WHO ARE REQUIRED TO BE IN ACTIVE PAY STATUS FOR MORE THAN 40 HOURS IN ANY CALENDAR WEEK MUST ACCRUE COMPENSATORY TIME ON AN HOUR FOR HOUR BASIS - REQUIREMENT:

DAS Directive 06-06 on compensatory time, overtime exempt employees accrue compensatory time for any time over 40 hours a week they were required to be in active pay status. Agencies must adhere to this statewide standard, and may not adopt an alternative policy that grants compensatory time to employees only after they have been required to work an additional number of hours (i.e., 45 hours/week, 50 hours/week, etc.)

The agency may, subject to management approval, allow overtime-exempt employees to work a flexible work schedule within a week rather than accrue compensatory time.

- D - 1 OVERTIME EXEMPT EMPLOYEES - OEC POLICY:

Please refer to the appropriate overtime/compensatory time policy for your appointment category.

- E. AGENCY CUSTOMER SATISFACTION SURVEYS MUST INCLUDE A QUESTION ABOUT EMPLOYEE AVAILABILITY - REQUIREMENT:

The general purpose of conducting customer satisfaction surveys is to document how well the State of Ohio is progressing toward the goal of service improvement. By asking customers about their level of satisfaction with employee availability, the State can produce a set of quantitative measurements or ratings of agency performance at various points in time.

- E - 1 CUSTOMER SATISFACTION SURVEYS - OEC POLICY:

The Ohio Expositions Commission will include questions about employee availability in future customer satisfaction surveys.

- F. TRAINING - REQUIREMENT:

Managers and supervisors should become familiar with agency time and attendance policies and procedures, and receive training on the responsibilities of the supervisor, timekeeper and employee. Managers and supervisors should be able to identify the records required for audit purposes and should understand how to overcome time and attendance problems.

F - 1 TRAINING - OEC POLICY:

The enforcement and implementation of time and attendance policies is critical. At a minimum, the Ohio Expositions Commission will provide training to new managers/supervisors and new employees about how to properly maintain records of actual hours worked.

G. TELEWORKING - REQUIREMENT:

Teleworking is a flexible work arrangement where employees are directed or permitted to work remotely from a designated alternative work location. It includes field working arrangements, and is also defined to include those circumstances where an employee received compensation for work completed from home during an approved leave of absence; during hours that are outside the employee's regular work schedule (i.e., after-hours or on the weekend); or in cases of department of Health mandates due to community spread of illness (i.e. pandemic, COVID-19).

G - 1 TELEWORKING - OEC RESPONSE:

The Ohio Expositions Commission will examine the duties of its various positions to determine if the teleworking policy is necessary.

H. IMPLEMENTATION:

This policy becomes effective immediately and rescinds previous memoranda, directives or policies on the subject.

Effective Date: May 1, 2008
Updated: January 1, 2025



January 1, 2025

MEMO TO: ALL OEC STAFF

FROM: ADAM HEFFRON, EXECUTIVE DIRECTOR

SUBJECT: TIME CLOCKS, TIME CARDS & TIME SHEETS

This is a reminder that you are to clock in on your time card only. If you clock another employee in or out it is a serious violation of work rules and you may be disciplined up to and including removal.

Supervisors have the responsibility of approving time cards. If a supervisor approves a time card that is found to be fraudulent, the supervisor may also be disciplined up to and including removal.

Time sheets are to accurately reflect hours worked and breaks taken. Like the time card, a time sheet that is found to be fraudulent is a serious violation of work rules and may result in discipline up to and including removal.

If you have any questions, please contact the human resources department



**OHIO EXPOSITIONS COMMISSION
UNAUTHORIZED REMOVAL OF PROPERTY POLICY**

PURPOSE

The purpose of this policy is to provide employees with guidelines regarding the unauthorized removal of property from the Ohio Expo Center grounds.

POLICY

Property belonging to the Ohio Expositions Commission (OEC) and/or event holders, vendors, concessionaires, etc. is not to be removed by employees under any circumstances.

It is understood that often after an event has concluded, event holders, vendors, concessionaires, etc. will leave items behind. Although they may be thought to be abandoned, the items are still the property of the person or persons leaving them behind, and are not to be removed from the OEC grounds by employees. In addition, employees are prohibited from asking for, or accepting items from an event holder, vendor or concessionaire, pursuant to the Ethics Policy. These items include, but are not limited to, aluminum cans, flowers, food, bricks, furniture and carpeting. Any such items are to be taken to the storeroom and if unclaimed by the owner after 15 days become the property of the OEC. The items can then be utilized by the OEC or placed in the garbage. Once an item has been placed in the garbage, Ohio Expo Center employees are still not to remove the property from the OEC grounds.

Unauthorized removal of property will be considered theft and subject the employee removing the property to discipline, up to and including, removal on the first offense.

IMPLEMENTATION

This policy becomes effective immediately and rescinds previous memoranda, directives and policies on the subject.

Effective Date: May 11, 2009
Updated: January 1, 2025



State of Ohio Administrative Policy

Unauthorized Weapons

No: HR-05

State Human Resources Division

Effective:

August 25, 2023

Issued By:

Kathleen C. Madden, Director

I. Purpose

To establish a uniform policy regarding unauthorized weapons and encourage appointing authorities to establish work rules. The first occurrence of a defined term in the policy is in bold, italic type, and is hyperlinked to the definition in Section IV.

II. Scope

This policy applies to all state agencies, boards, and commissions under the authority of the Governor (collectively referred to as Agency or Agencies).

III. Policy

The State of Ohio is committed to providing its employees with a work environment that is safe and secure. This commitment includes prohibiting employees from possessing or having under their control a ***Weapon or Other Dangerous Ordinance*** while on or in state-owned or leased property, or while conducting state business or on state time. Employees are also prohibited from possessing or controlling a Weapon or Other Dangerous Ordinance in an employee's personal vehicle while on or in state-owned or leased property, or while conducting state business or on state time, unless specifically authorized by the employee's appointing authority or as provided in Section III.C. below. The state's prohibition against such unauthorized Weapons or Other Dangerous Ordinance applies to all contractors and all employees, including but not limited to, permanent state employees, contract workers, temporary workers, consultants, college interns, student help, and anyone else conducting business on behalf of the state.

Nothing in this policy is intended to prevent anyone covered by this policy from possessing items otherwise prohibited in this policy at their personal residence or in their personal vehicle when that person is teleworking at their residence pursuant to a teleworking agreement or as a contractor.

A. **Prohibited Items**

Any Weapon or Other Dangerous Ordnance.

B. **Prohibited Conduct:** Those covered by this policy shall not carry or store a Weapon or Other Dangerous Ordnance:

1. In a building or portion of a building owned or leased by the state, including parking garages, except as provided in Section III.C. below;
2. In a motor vehicle owned or leased by the state; or
3. While conducting state business or on state time, even when not on state-owned or leased property.

C. **Effect of Concealed Handgun License**

1. Individuals covered by this policy who (i) meet the definition of a **Qualifying Adult**, (ii) have been issued a license to carry a concealed handgun in the state of Ohio, and/or (iii) are an active-duty member of the armed forces of the United States who meet the requirements under Ohio Revised Code (ORC) 2923.126(E)(2) to have the same right to carry a concealed handgun as a Qualifying Adult or a person issued a **Concealed Handgun License**, are not exempt from the above provisions with respect to a handgun. The individuals described in this Section III.C. must store the handgun, in accordance with the law, prior to entering an area in which a weapon is prohibited.
2. The individuals set forth in this Section III.C. may store or transport their handgun and/or ammunition in their privately owned motor vehicle on property owned or leased by the state that is primarily used as a parking facility for motor vehicles (i.e., parking lots and garages), unless otherwise prohibited. The handgun and/or ammunition must remain inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or the handgun and/or ammunition must be locked in the trunk, glove box, other enclosed compartment or container within or on the person's privately owned motor vehicle while on property owned or leased by the state.

D. **Violations**

1. Violations will be subject to legal action as appropriate.
2. Violation of this policy by a state employee may lead to disciplinary action up to and including termination in accordance with the applicable law, rule, or collective bargaining agreement.

E. **Work Rules**

Appointing authorities are encouraged to develop workplace-specific rules in furtherance of this policy. To assist appointing authorities in developing unauthorized weapons or other dangerous ordnance work rules, a model work rule is attached.

IV. Definitions

- A. **Weapon or Other Dangerous Ordnance.** Includes but is not limited to all devices listed in ORC 2923.11, including firearms except as provided in this policy; a club; brass knuckles; any martial arts weapon; a stun gun; explosives; a bow and/or arrows, including a crossbow; or a knife, other than a folding or kitchen knife with a blade not in excess of three (3) inches.
- B. **Qualifying Adult.** As set forth in ORC 2923.111(A)(1), a Qualifying Adult is a person who is twenty-one (21) years of age or older, is not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g)(1) to (9) or under ORC 2923.13 or any other ORC provision, and also satisfies all of the criteria listed in paragraphs (D)(1)(a) to (j), (m), (p), (q), and (s) of ORC 2923.125.
- C. **Concealed Handgun License.** Concealed Handgun License, concealed carry license, permit to carry a concealed weapon, concealed weapon permit, and concealed carry permit all have the same definition as Concealed Handgun License and “license to carry a concealed handgun” as set forth in ORC 2923.11.

V. Authority

ORC 2923.1210, 2923.126
 OAC 123:1-45-01, 123:1-47-01(B)

VI. Resources

Document Name	Location
Attachment 1: Model Work Rule on Unauthorized Weapons	Pages 5 and 6 below.

VII. Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy
 Office of Collective Bargaining
 Ohio Department of Administrative Services
 4200 Surface Road
 Columbus, Ohio 43228

614.752.5393|DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at
www.das.ohio.gov/forStateAgencies/Policies.aspx

VIII. Revision History

Date	Description of Change
09/01/2009	Original policy.
03/28/2017	Reissued in new format and for compliance with SB 199, 131 st General Assembly.
08/25/2023	Reissued for compliance with SB 215, 134 th General Assembly. Updated to new policy template.

Attachment 1**Model Work Rule on Unauthorized Weapons**

1. No (Agency) employee (including permanent state employees, temporary workers, college interns, student help), contract workers, consultants, or anyone else conducting business on behalf of the state, while conducting state business or otherwise on state time, or while on or in state-owned or leased property, shall possess or have under their control, any offensive or defensive weapons, including but not limited to, a firearm (including unloaded, inoperable or sawed-off firearms, starter pistols, zip guns, etc.), knife*, club, brass knuckles, martial arts weapon, or stun gun. Dangerous ordnances, incendiary or explosive devices or chemicals, fireworks, or similar items are considered weapons and/or dangerous devices for purposes of this work rule and are prohibited. Weapons and other dangerous items shall be referred to in the Work Rule as “**prohibited items**.” Those covered by this work rule are also prohibited from possessing or controlling a prohibited item in a personal vehicle while on or in state-owned or leased property, or while conducting state business or on state time, unless set forth in Exception A, B, or C, below.
2. For purposes of this (Agency) work rule, state-owned or leased property includes but is not limited to, state-owned and/or leased vehicles, state-owned and/or leased buildings, and state-owned and/or controlled parking facilities or surface lots.
3. Exceptions:
 - a) Exception A – This (Agency) work rule does not apply to (Agency) employees who are required as a condition of their work assignment to possess prohibited items and are specifically authorized in writing by the Director to do so, to the extent the employee is possessing such a prohibited item pursuant to the employee’s work assignment and the written authorization.
 - b) Exception B – Those who meet the definition of a Qualifying Adult under [ORC 2923.111\(A\)\(2\)](#), have been issued a license to carry a concealed handgun in the State of Ohio, or who are active-duty members of the military with military identification and documentation of successful completion of firearms training that meets or exceeds the requirements for a Concealed Handgun License, may transport and/or store their handgun and/or ammunition in their personal vehicle while on state-owned and/or leased property, unless otherwise prohibited. The handgun and/or ammunition must remain inside the person’s privately owned motor vehicle while the person is physically present inside the motor vehicle, or the handgun and/or ammunition must be locked in the trunk, glove box, other enclosed compartment or container within or on the person’s privately owned motor vehicle while on property owned or leased by the state.
 - c) Exception C – This work rule does not prevent anyone covered by this work rule from possessing prohibited items at their personal residence or in their personal vehicle while teleworking at their residence pursuant to a teleworking agreement or as a contractor.
4. An (Agency) employee who violates this work rule or uses or threatens to use any object as a weapon against any person shall be subject to disciplinary action, up to and including removal for the first offense.

5. *A folding or kitchen knife with a blade that is less than three (3) inches is permitted.
6. Nothing in this policy is intended to replace or conflict with state law.
7. Refer to State of Ohio Administrative Policies [HR-04 Workplace Violence Prevention](#) and [HR-05 Unauthorized Weapons](#) for additional information.

OHIO EXPOSITIONS COMMISSION WORK RULES

REPORTING ABSENCES

ADMINISTRATIVE EMPLOYEES

SICK LEAVE

An employee who is unable to work due to illness must call his/her immediate supervisor, or if the supervisor is absent, must contact the supervisor's designee. Employees must telephone their supervisor's office number, no later than one-half (1/2) hour prior to their starting time on the first day of absence and each day thereafter, unless the date of expected return is indicated on the first day of absence. **If voice mail is activated, leave a voice mail message.** If an employee is absent three (3) days or more due to illness, they must submit a physician's verification upon their return to work.

COMPENSATORY TIME AND VACATION TIME

Requests for compensatory time and vacation time must be requested prior to taking, unless an emergency situation arises. Compensatory time and vacation should be requested approximately two weeks in advance. Any telephone calls (emergency or otherwise) to request such leave must be placed to your immediate supervisor, or if the supervisor is absent, you must talk to the supervisor's designee. **Voice mail messages will not be accepted as approved notice for emergency compensatory time or vacation leave.**

PERSONAL LEAVE

Personal leave shall be used upon giving two (2) days notice to the employee's immediate supervisor, or if the supervisor is absent, contact the supervisor's designee. In an emergency, the request shall be made as soon as possible to the supervisor or designee. **If voice mail is activated, leave a voice mail message.**

IT IS THE EMPLOYEE'S RESPONSIBILITY TO COMPLETE LEAVE FORMS FOR ALL LEAVES (SICK, VACATION, PERSONAL AND COMPENSATORY). Forms must be completed and submitted to your supervisor at the time you request leave. All leave forms that are not completed prior to leave taken, must be completed the day the employee returns to work.

MAINTENANCE EMPLOYEES

SICK LEAVE

ALL MAINTENANCE EMPLOYEES

An employee (regardless of their starting time) who is unable to work due to illness must call their supervisor no later than one-half (1/2) hour prior to their starting time on the first day of absence and each day thereafter, unless the date of expected return is indicated on the first day of absence. If there is no answer, call the next person on the call-off list no later than one-half (1/2) hour prior to the scheduled starting time on the first day of absence and each day thereafter, unless the date of expected return is indicated on the first day of absence. If there is no answer, call Josh Weaver, Maintenance Administrative Manager at 740-644-7490. **Employee MUST speak to a supervisor – voicemail is not acceptable.** If an employee is absent three (3) days or more due to illness, they must submit a physician's verification upon their return to work.

An employee **scheduled to work an event**, but who is unable to work due to illness must call their supervisor later than one hour before their starting time on the first day of absence and each day thereafter, unless the date of expected return is indicated on the first day of absence. If there is no answer, call the next person on the call-off list no later than one (1) hour prior to the scheduled starting time on the first day of absence and each day thereafter, unless the date of expected return is indicated on the first day of absence. If there is no answer, call Josh Weaver, Maintenance Administrative Manager at 740-644-7490 no later than one (1) hour prior to their scheduled start time. **Employee MUST speak to a supervisor – voicemail is not acceptable.** If an employee is absent three (3) days or more due to illness, they must submit a physician's verification upon their return to work.

COMPENSATORY TIME AND VACATION TIME

Requests for compensatory time and vacation must be requested prior to taking, unless an emergency situation arises. Compensatory time and vacation should be requested approximately two weeks in advance. Any telephone calls (emergency or otherwise), to request such leaves must be placed to one's immediate supervisor, or if the supervisor is absent, contact the supervisor's designee in the maintenance office at 614-644-5050. **Voice mail messages will not be accepted as approved notice for emergency compensatory time or vacation time.**

PERSONAL LEAVE

Personal leave shall be used upon giving two (2) days notice to the employee's supervisor, or if the supervisor is absent, contact the supervisor's designee.

IT IS THE EMPLOYEE'S RESPONSIBILITY TO COMPLETE LEAVE FORMS FOR ALL LEAVES (SICK, VACATION, PERSONAL AND COMPENSATORY). Forms must be completed and submitted to your supervisor at the time you request leave. All leave forms that are not completed prior to leave taken, must be completed the day the employee returns to work.

TARDINESS

Tardiness: The act of reporting to work later than one's scheduled starting time without prior approval.

For disciplinary purposes, tardiness will be broken down into two distinct groups:

Type 1: Six or fewer tardy incidents, of not more than 30 minutes each, in a rolling twelve-month period. An employee may make up time if they choose and with their supervisor's approval. Compensatory time, vacation time or personal leave may be used to make up time. Sick leave may not be used to make up time. Time may be made up during lunch hour or after hours upon approval of supervisor. Time cannot be made up during breaks (when applicable). No discipline is issued for Type 1. **NOTE: Even if an employee calls a supervisor to report that they will be late, it is still considered a tardy incident.**

Type 2: More than six tardy incidents in a rolling twelve-month period or any tardy incident greater than 30 minutes. The employee may not make up time for a type 2 infraction. Discipline will be assessed according to the discipline grid.

OEC management reserves the right to exercise judgment in determining tardiness. Such judgment will be exercised consistently throughout the agency.

TIME CARDS

Employees should clock their time in and be ready to commence work at their starting time and clock their time card out at their scheduled quitting time.

Each employee must clock his/her own time card in and out. No one will be permitted to clock another person's time card in or out.

At the end of each pay period each employee must check and verify the time and hours as marked on his/her card and sign the card to acknowledge that the time is recorded correctly.

At the end of each pay period, supervisors will approve the total hours reflected on each time card.

If an adjustment to hours is necessary (example: forget to clock in or out) or because of mechanical error (example: double punches or cannot read) one's supervisor must correct and initial the card on the same day.

Do not write on or deface the time card.

Note: All timecards are to be submitted to the Finance Office by 9:00 AM on Monday following the end of the pay period.

PAY CHECKS

The state's payroll system is based on an 80 hour or two-week units (40 hours per week) with 26 pay periods per year. There is a two-week time delay in the state system, so the check you receive on Friday is for the 80 hour period ending two weeks previously. When

an employee leaves state service, the last paycheck is released two weeks after the last working day of the pay period.

Second and/or third shift employees will receive their paycheck at the end of the shift the day before the payday.

The Finance Office will issue paychecks on Friday of the pay week.

WORKERS' COMPENSATION

Reports must be filed with the human resources department on ALL job-related accidents whether there is a personal injury or not. Reports must be filed by the end of the shift in which the accident occurs. Accident report forms and Workers' Compensation forms may be obtained from the human resources office. If you go to the doctor or emergency room for treatment, make sure you inform them that the Workers' Compensation form must be sent to the Ohio Expo Center, not the Bureau of Workers' Compensation.

When a permanent employee of the Ohio Expo Center is injured on the job and receives medical treatment during working hours, it will be necessary for that employee to complete a leave form to cover the time spent away from the job while receiving medical attention. An employee may elect to use sick, compensatory, vacation or personal leave or request leave without pay.

TRAFFIC REGULATIONS

The speed limit at the Ohio Expo Center is 15 miles per hour.

PICTURE I.D. CARDS

Picture I.D. cards are provided to all permanent employees to enable those employees assigned to work a program or show quick and easy identification as an employee and representative of the Ohio Expo Center. Employee I.D. cards are to be worn by ALL Ohio Expo Center employees at all times.

IMPLEMENTATION

This policy becomes effective immediately and rescinds previous policies, directives and memoranda on the subject.

Effective Date: January 19, 2020
Updated: January 1, 2025



Date: January 30, 2023
Updated: January 1, 2025

OHIO EXPOSITIONS COMMISSION

Cell Phone Policy

The purpose of this cell phone policy is to form a work environment that is productive and free of distractions.

All employees must operate under this policy, regardless of position. It is the agency's expectation that all cell phones will be used at a minimum during working hours, so work/low remains undisturbed. While most employees use their personal cell phones to communicate with supervisors and/or coworkers, it is expected that employees will use their personal cell phones for emergencies or while taking breaks. If an employee is operating a motor vehicle or other heavy machinery for the agency, the employee **MUST** refrain from using their cell phone until it becomes safe to do so.

Cell phone use guidelines:

The following are the Ohio Expositions Commission basic guidelines for proper employee cell phone use during work hours. In general, cell phones should not be used when they could pose a security or safety risk, or when they distract from work tasks.

- Never use a cell phone while driving.
- Never use a cell phone while operating equipment.
- Do not use cell phones for surfing the internet or gaming during work hours.



We realize cell phones are great tools. We encourage employees to use cell phones:

- For making/receiving work/personal calls in the appropriate place and situation to do so.
- For other work-related communication, such as text messaging or emailing, in appropriate places and situations.
- For emergency purposes.

Disciplinary Action:

Failure to follow this cell phone policy may result in disciplinary action up to and including termination. Continued use of cell phones at inappropriate times or in ways that distract from work may lead to having cell phone privileges revoked.

Cell phone usage for illegal or dangerous activity, for purposes of harassment, or in ways that violate agency confidentiality policy may result in employee discipline.

OHIO EXPOSITIONS COMMISSION WORK STANDARDS

A. GENERAL

1. Employees of the Ohio Expositions Commission should maintain high work standards of behavior, conduct and work performance befitting the trust and responsibility imposed on them as public servants. Employees should be temperate and dignified and should refrain from illegal or unethical conduct.
2. Employees who fail to abide by standards established herein may be subject to an appropriate disciplinary action initiated in accordance with ORC Section 124.34 and Ohio Expositions Commission policies, the Collective Bargaining Agreement or any other appropriate procedures governing discipline.

B. WORK STANDARDS

1. Employees shall maintain good behavior.
2. Employees shall provide competent and efficient services to the state.
3. Employees shall not neglect to perform duties that are in the proper scope of their employment.
4. Employees shall maintain honesty in their dealings with the state and with other persons who have business dealing with the state.
5. Employees shall not commit acts of insubordination.
6. Employees shall provide courteous treatment to the public and to other employees.
7. Employees shall abide by all applicable statutes, rules and policies governing them or their employment that are administered or adopted by the Ohio Department of Administrative Services or the Ohio Ethics Commission.
8. Employees shall not commit any acts of misfeasance, nonfeasance or malfeasance that affect their employment.
9. Employees shall not engage in unauthorized or unreasonable use or taking of state property or services, including use of automobiles, telephones, copy machines, fax machines, etc., for purposes other than state business. Loss or damage of state property shall be reported to the employee's supervisor in writing as soon as possible. No long distance calls shall be permitted unless directly related to state business.

B. WORK STANDARDS (Cont'd.)

10. Employees shall refrain from abusing or deliberately destroying state property.
11. Employees shall not, at any time, be negligent in their duties so as to endanger life, property or public safety.
12. Employees shall not engage in the possession or use of intoxicating or mind altering drugs, including alcohol, while on the job or on state property unless such a drug is "over the counter" or is prescribed for the employee by the employee's physician and taken as prescribed.
13. Employees shall refrain from gambling or the possession of gambling devices while on the job or on state property.
14. Employees shall not engage in the possession or use of explosives, firearms and other weapons or lethal materials while on the job or on state property.
15. Employees shall follow common or prescribed safety and health practices while on the job or on state property.
16. Employees shall obey all duly authorized law enforcement and safety officials.
17. Employees who are authorized to operate state vehicles shall drive these vehicles safely and within the bounds of traffic laws.
18. Employees shall refrain from the use of abusive language/acts (e.g., profane, loud, vulgar, derogatory, insulting, malicious, threatening, intimidating) while on the job or state property or when conducting state business.
19. Employees shall refrain from the unauthorized solicitation or collection of money or the circulation of petitions while on the job or on state property.
20. No employee shall alter his/her work hours until his/her request has received administrative approval.
21. All OEC personnel shall report to work on time every day that they are scheduled to work.
22. Employees shall not take any unauthorized leaves.
23. Employees shall not engage in any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that explicitly or implicitly involves an employment condition or creates an intimidating, hostile or offensive work environment.

B. WORK STANDARDS (Cont'd.)

24. Employees shall refrain from applying for sick leave with the intent to defraud, including falsification of a physician's statement.
25. Employees shall notify their supervisor or designee of unscheduled sick leave within one-half hour of the scheduled starting time.
26. Employees shall not engage in habitual absences or tardiness.
27. Employees shall refrain from releasing or discussing confidential OEC business or records with others not privileged to receive such information.
28. Employees shall refrain from accepting or soliciting any reward, gratuity, gift of any nature, payment or compensation for any services rendered except their regular salary.
29. Employees shall refrain from falsifying data, records and time sheets/cards.
30. Employees shall refrain from knowingly making untrue statements in any report, either verbal or written.

C. IMPLEMENTATION

This policy becomes effective immediately and rescinds previous memoranda, directives or policies on the subject.

Effective Date: November 1, 2004
Updated: January 1, 2025