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Bill Analysis
Legislative Service Commission

H.B. 491

124th General Assembly
(As Introduced)

Reps. Sulzer, Hartnett, R. Miller, Sferra, Sullivan, Key, Otterman, Willamowski, Strahorn, Carano, Aslanides, Fedor, Rhine, D. Miller, Redfern, Allen, Krupinski, Distel, Cirelli, Beatty, Lendrum

BILL SUMMARY

- Requires state agencies to fill vacant job positions by giving preferential treatment in hiring to former or present Orient Correctional Institution employees who are or may be laid off because of the Institution's closing.
- Declares an emergency.

CONTENT AND OPERATION

Posting of job notices for the benefit of present and former Orient Correctional Institution employees

Under the bill, *prior to* the final closing of the Orient Correctional Institution (OCI), whenever a state agency decides to fill any position that is vacant on the bill's effective date or becomes vacant after that date, the state agency must transmit a notice of that position, for the purpose of its posting by the offices mentioned below, to afford OCI employees and former OCI employees with an opportunity to express an interest in that position. These offices are the administrative office of the Department of Rehabilitation and Correction (DRC) in Columbus, the personnel office of each DRC correctional institution or facility, and the personnel office of each private correctional facility. *After* the final closing of OCI, whenever a state agency decides to fill a position that is vacant on the bill's effective date or becomes vacant after that date, the state agency must transmit a notice of that position to these same offices and to each public employment office established by the Director of Job and Family Services under current law, for the purpose of its posting by the recipient office to afford former OCI employees with the opportunity to express interest in that position. Each office that receives a notice from a state agency under these provisions must post

that notice in the same manner as it posts other job position notices. (Section 1(C)(1).)

Hiring preferences for present and former OCI employees

Subject to any applicable collective bargaining provision to the contrary, in hiring a person to fill a position that is posted under the bill's provisions, a state agency must select, regardless of the person's classification, a person whom the agency determines to be qualified for the position in the following order: (1) an OCI employee or former OCI employee, who must remain eligible for selection until one year after the final closing of OCI and (2) another person who has been placed on an appropriate layoff list or certification list under current law (Section 1(C)(2)).

Also, subject to any applicable collective bargaining provision to the contrary, any OCI employee or former OCI employee who receives a position under the bill must be assigned to the step of the pay range that is closest to the employee's or former employee's compensation in effect on the date of the employee's or former employee's most recent employment at OCI, even if that assignment results in an increase or decrease in compensation. Any such employee or former employee who receives a position under the bill retains all other civil service rights, including but not limited to, length of service, retirement benefits, vacation, sick leave, and personal leave, existing on the date the employee or former employee receives that position. (Section 1(C)(3).)

Duration of the bill

The bill provides that it applies, notwithstanding any other provision of law to the contrary, during the period that begins on its effective date and ends one year after the final closing of OCI (Section 1(B)).

Definitions

Under the bill, (1) "Orient Correctional Institution" means the institution known by that name on the bill's effective date, (2) "final closing of OCI" means the date on which the last employee on the payroll of OCI as of the bill's effective date is laid off as a direct result of OCI's closing, (3) "OCI employee" means any employee on OCI's payroll as of the bill's effective date, (4) "former OCI employee" means any former employee of OCI who was on its payroll as of the bill's effective date and who was laid off as a direct result of OCI's closing, (5) "private correctional facility" means any correctional facility that is privately operated and managed under a contract with DRC as authorized by current law, and (6) "state agency" means every organized body, office, or agency established

by the laws of Ohio for the exercise of any function of state government (Section 1(A)).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	01-30-02	p. 1355

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