Julie A. Rishel *Legislative Service Commission*

H.B. 561

126th General Assembly
(As Introduced)

Reps. Hughes, D. Stewart, Flowers, T. Patton, Yuko, Combs, Strahorn

BILL SUMMARY

- Expands the definition of "public employer" to include, for the purposes of the Public Employees' Collective Bargaining Law, a township fire department that is the primary provider of fire protection to any territory or combination of territories with a population of at least 5,000 unless an exception applies with respect to specified special districts within that territory.

CONTENT AND OPERATION

Township fire departments

The Public Employees' Collective Bargaining Law (R.C. Chapter 4117.) permits certain public employees to bargain collectively with their public employers concerning wages, hours, terms and conditions of employment and the continuation, modification, or deletion of an existing collective bargaining agreement. Currently, under the Public Employees' Collective Bargaining Law, "public employer" means the state or any political subdivision of the state located entirely within the state, including any of the following: (1) a municipal corporation with a population of at least 5,000 according to the most recent federal decennial census, (2) a county, (3) a township with a population of at least 5,000 in the unincorporated area of the township according to the most recent federal decennial census, (4) a school district, (5) a governing authority of a community school established under the Community Schools Law (R.C. Chapter 3314.), (6) a state institution of higher learning, (7) a public or special district, (8) a state agency, authority, commission, or board, or (9) other branch of public employment (sec. 4117.01(B)(1)).

The bill adds another category of public employees to this list. Under the bill, with respect to members of a fire department of a township with a population of less than 5,000 in the unincorporated area of the township, "public employer"

means a township with a fire department that is the primary provider of fire protection to any territory or combination of territories with a total population of at least 5,000. Such territories may include incorporated and unincorporated territories located inside of the boundaries of the township (sec. 4117.01(B)(2)(a)). For purposes of determining the population of a township described in this provision, the bill specifies that the population is determined according to the most recent decennial census (sec. 4117.01(B)(3)). Therefore, under the bill, a township fire department that meets these requirements is a public employer for purposes of the Public Employees' Collective Bargaining Law.

The bill states that a township fire department cannot be considered a primary provider of fire protection[1] with respect to territory located within any of the following special districts:

(1) A fire district created by a board of trustees of a township (sec. 505.37(C), not in the bill);

(2) A joint fire district created by any of the following authorities: (a) the board of trustees of one or more townships and the legislative authorities of one or more municipal corporations, (b) the legislative authorities of two or more municipal corporations, or (c) the boards of township trustees of two or more townships (sec. 505.371, not in the bill);

(3) A fire and ambulance district created by a board of a joint ambulance district and the board of a joint fire district (sec. 505.375, not in the bill).

HISTORY

ACTION	DATE
Introduced	04-04-06

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[1] *"Fire protection" means the use of firefighting equipment by the fire department of a firefighting agency or a private fire company, and includes the provision of ambulance, emergency medical, and rescue services by those entities (secs. 4117.01(B)(2)(c) and 9.60, not in the bill).*