DEPARTMENT OF JOB AND FAMILY SERVICES

Public Assistance

Supplemental Nutrition Assistance Program (SNAP)

Able-bodied adults without dependents work requirements

- Prohibits the Department of Job and Family Services (JFS) from seeking, applying for, or renewing a waiver from the work requirements that apply to able-bodied adults without dependents receiving SNAP benefits.
- Prohibits JFS from implementing a federal option under which it may grant exemptions from the work requirements, unless implementing the option is necessary to prevent a federal penalty and to maintain compliance with federal rules.
- Prohibits JFS from delegating to a county department of job and family services (CDJFS) the authority to waive work requirements or grant exemptions.
- Requires JFS to notify the chairpersons of the House and Senate committees with relevant jurisdiction when implementing the federal option described above.

EBT card hotline

- Requires JFS to establish a process under its existing customer service hotline that allows SNAP participants to lock or unlock an EBT card that has been lost or stolen.

High balance accounts

- Requires JFS to periodically monitor the balances of SNAP accounts.
- Requires JFS to take steps to determine if a SNAP account with a balance of more than $5,000 is inactive and identify the causes for the accruing balance.

Exclusion of sugar-sweetened beverages (PARTIALLY VETOED)

- Requires the JFS Director to seek a federal waiver to exclude sugar-sweetened beverages as items that may be purchased under SNAP.
- Requires the Director to reapply for that waiver annually if it is not approved.
- Would have defined which products constitute "sugar-sweetened beverages" for this purpose (VETOED).

Ohio Benefits Program transfer

- Authorizes the Director of Administrative Services to transfer the Director's responsibility for administering the Ohio Benefits Program to the JFS Director.
- Authorizes the OBM Director to make budget and accounting changes to implement the program's transfer and makes an appropriation based on those changes.

Public assistance benefits eligibility systems

- Requires JFS to update the systems used to determine eligibility for public assistance benefits, in a manner that allows information input by individual caseworkers to be tracked and audited.
- Requires CDJFSs to provide caseworker training about improper determinations.

Vocational rehabilitation assessment and support services

- Permits the JFS Director to refer certain recipients of SNAP and Ohio Works First (OWF) benefits for vocational rehabilitation assessment and support services.
- Exempts certain benefits recipients from the requirements if they are determined to be unable to work by the Opportunities for Ohioans with Disabilities agency, or otherwise meet minimum SNAP and OWF work requirements.
- Terminates SNAP or OWF benefits for recipients required to participate in vocational rehabilitation assessment and support services who fail to do so and do not satisfy minimum work requirements for SNAP and OWF.

Notice of waiver or state plan amendment

- Requires the JFS Director to submit a copy of any public assistance waiver or state plan amendment to the Speaker of the House, Senate President, and the chairpersons of the relevant committees of the House and Senate at least 30 days prior to submitting it to the federal government.

Adult Protective Services funding formula

- Requires JFS to allocate funds for counties' Adult Protective Services costs according to a specified funding formula based on previous allocations, the percentage of older adults in the county, and the percentage of county residents in poverty.
- Allows the Director to adopt rules on the allocation of funds and expenditure reports.

Youth and Family Ombudsmen Office

- Changes "Youth and Family Ombudsman Office" to "Youth and Family Ombudsmen Office."
- Requires the Ombudsmen Office to establish procedures for investigating complaints and to submit its annual report to the DCY Director.
- Allows the Ombudsmen Office to access DCY records.

Unemployment

Technology and customer service fee

- Requires the JFS Director, from December 31, 2025, to December 31, 2027, to collect a technology and customer service fee of no more than 0.15% of wages paid per covered

employee from each contributory employer at the same time and in the same manner as the Director collects employer contributions under continuing law.

- Requires the Director, from December 31, 2025, to December 31, 2027, to collect a technology and customer service fee of no more than $13.50 whenever a nonprofit organization, or group of such organizations, that is a reimbursing employer files or renews a surety bond required under continuing law.
- Requires technology and customer service fees to be deposited into the Unemployment Compensation Special Administrative Fund.

Temporary employees

- Disqualifies certain temporary employees who fail to inquire about available work assignments from serving a waiting period or receiving unemployment benefits for the duration of the individual's unemployment (instead of just for any week as under prior law).

Deadline for unemployment compensation reports

- Establishes August 1 as the deadline by which the JFS Director annually must submit to the Governor and General Assembly specified reports regarding unemployment compensation that are required under continuing law.

Interest on late unemployment employer payments

- Beginning January 1, 2026, changes the annual interest rate for late unemployment employer payments from 14% to the rounded federal short-term rate, not to exceed 15%.

Covered public employers

- Expands the definition of "employer" for purposes of unemployment compensation to include any state, its instrumentalities, and its political subdivisions and their instrumentalities (rather than Ohio, its instrumentalities, and its political subdivisions and their instrumentalities as under prior law).

Seasonal employment determinations

- Requires the JFS Director to determine whether employment is seasonal based on the application for a determination filed by the employer and any other information available.

Income and Eligibility Verification System

- Requires the JFS Director to disclose wage and claim information, on request, to any state or local agency administering a program included in the Income and Eligibility Verification System (IEVS) that has entered a written data sharing agreement with the JFS Director that meets federal standards.
- Eliminates a requirement that the Director adopt rules implementing the IEVS.

Unemployment Compensation Review Commission

- Allows the Department of Public Safety's digitalized photographic records to be released to the Unemployment Compensation Review Commission (UCRC).
- Allows a UCRC hearing officer to conduct a hearing by interactive video conference.

Unemployment Compensation Integrity Board

- Creates the Unemployment Compensation Integrity Board to advise and consult with the JFS Director in the administering and enforcing Ohio's Unemployment Compensation Law, including making recommendations to the Director regarding proposed rules or public-private partnerships.

Worker Adjustment and Retraining Notification (WARN) Act

- Expressly states that Ohio employers subject to the federal Worker Adjustment and Retraining Notification (WARN) Act (those with 100 or more employees) must comply with that act, which requires certain employers to provide written notice 60 days before commencing a plant closing or mass layoff as those terms are defined in the WARN Act.
- Allows the JFS Director to issue guidance and procedures to Ohio employers for the submission and review of notices provided under the WARN Act.

Public assistance

Supplemental Nutrition Assistance Program (SNAP)

Able-bodied adults without dependents work requirements

(R.C. 5101.548)

Federal law imposes work-related eligibility requirements on SNAP recipients who are classified as able-bodied adults without dependents. The group consists of individuals between the ages of 18 and 55 who have no dependents and are not disabled. These individuals are eligible to receive SNAP benefits for only up to three months every three years unless they satisfy federally specified work requirements.

Under federal law and regulations, states can apply for a waiver to exempt from the time limit described above certain geographic areas of the state that have an unemployment rate higher than 10% or do not have enough jobs available.[86] Ohio did not have such a waiver in place for FY 2025. The act prohibits the Department of Job and Family Services (JFS) from requesting, applying for, or renewing such a waiver. The act also generally prohibits JFS from exercising an option under federal law to exempt individuals from the three-month time limit who are not meeting the SNAP work requirements. States are permitted under federal law to exempt up to

[86] 7 U.S.C. 2015(o)(4).

8% of covered individuals.[87] Notwithstanding the prohibition described above, the act permits JFS to exercise the exemption option if doing so is necessary to prevent a federal penalty and maintain compliance with federal rules. JFS must notify the chairpersons of the standing committees of relevant jurisdiction in the House and the Senate before implementing this option. Further, the act prohibits JFS from delegating to a county department of job and family services (CDJFS) the authority to waive individual work requirements or grant exemptions.

EBT card hotline

(R.C. 5101.542)

For households participating in SNAP, monthly benefits are loaded onto an electronic benefit transfer (EBT) card. EBT cards may be used like a credit or debit card to buy permissible food products under SNAP. The act requires JFS to establish a process as part of its existing customer service hotline that allows SNAP participants to lock or unlock an EBT card that has been lost or stolen.

High balance accounts

(R.C. 5101.543)

The act requires JFS, to ensure integrity within SNAP, to periodically monitor the balance of SNAP accounts. If JFS discovers an account with a balance of more than $5,000, the act requires JFS to take steps to determine whether that account is inactive. If the account is inactive, JFS must identify the causes for the accruing balance.

Exclusion of sugar-sweetened beverages (PARTIALLY VETOED)

(R.C. 5101.549)

The act requires the JFS Director to submit a request to the U.S. Department of Agriculture for a waiver to exclude sugar-sweetened beverages as items that can be purchased in the state under SNAP. If the waiver is not approved, the Director must resubmit a waiver request annually.

The Governor vetoed a provision that would have defined "sugar-sweetened beverages" to include nonalcoholic beverages that are made with carbonated water that is flavored, contain a food additive, and are sweetened with sugar or artificial sweeteners. The definition would have excluded beverages that contain milk, milk products, soy, rice, or other milk substitutes, as well as beverages that (1) contain greater than 50% vegetable or fruit juice by volume or (2) contain less than five grams of added sugar.

On June 30, 2025, the Governor issued Executive Order 2025-03D creating the Working Group on the Submission of a Waiver Excluding Certain Beverages from SNAP in Ohio to make recommendations regarding the proposed waiver by September 28, 2025.

[87] 7 U.S.C. 2015(o)(6).

Ohio Benefits Program transfer

(Section 525.10)

The act authorizes the Director of Administrative Services to transfer the Director's responsibility for administering the Ohio Benefits Program to the JFS Director by July 1, 2027. The Ohio Benefits Program is the integrated enterprise solution administered by the Department of Administrative Services (DAS) that assists individuals in verifying eligibility for, and applying for, benefits offered through various programs administered by JFS and the Department of Medicaid, including Medicaid, SNAP, and the Temporary Assistance for Needy Families block grant. By July 1, 2026, the DAS Director and JFS Director must develop a detailed organizational plan and enter into a memorandum of understanding regarding the program's transfer.

Regardless of any contrary law, if the DAS Director transfers the Ohio Benefits Program, the OBM Director must make budget and accounting changes to implement the transfer. The OBM Director may rename funds, create new funds, transfer funds, consolidate funds, or make other administrative changes. If necessary, the OBM Director may cancel or establish encumbrances or parts of encumbrances in the appropriate funds and appropriation items for the same purposes and for payments to the same vendors. The act makes an appropriation with respect to any encumbrances the OBM Director establishes.

If necessary for the program's continued efficient administration, the OBM Director may transfer appropriations between JFS and DAS to continue levels of program services and efficiently deliver funding to the program as appropriated. The act makes an appropriation based on the OBM Director's changes.

Transfer of employees

Subject to continuing law layoff provisions, if the DAS Director transfers the Ohio Benefits Program, all DAS employees whose primary responsibilities include administering the program, as identified by the DAS Director, are transferred to JFS. Except as described below, transferred employees retain their positions and benefits. Any changes to an employee's position or benefits that occur after the employee is transferred are subject to the State Personnel Law. Actions taken in connection with transferring these employees are not appealable to the State Personnel Board of Review.

If the DAS Director transfers the program, the JFS Director may do the following:

- Establish, change, or abolish positions within JFS;
- Assign, reassign, classify, reclassify, transfer, reduce, promote, or demote JFS employees who are not subject to the Public Employees' Collective Bargaining Law;
- With respect to an employee exempt from collective bargaining, assign or reassign that employee to a collective bargaining unit.

If the JFS Director assigns, reassigns, classifies, reclassifies, transfers, reduces, or demotes an employee paid in accordance with schedule E-1 to a position in a lower classification, both of the following apply:

- The JFS Director, or if the employee is transferred outside of JFS, the DAS Director, must place the employee in pay step X and assign the employee to the appropriate classification.
- The employee cannot receive an increase in compensation until the maximum pay rate for that classification exceeds the employee's compensation.

The JFS Director, with the OBM Director's approval, may establish a retirement incentive plan for employees transferred to JFS. If the Director establishes a plan, it must remain in effect until December 31, 2027.

The transfer of the program and employees, and the reassignment of administering the program, are not appropriate subjects for collective bargaining, regardless of any contrary law specifying matters subject to collective bargaining.[88]

Staff training and development

If the DAS Director transfers the program, the DAS and JFS Directors, jointly or separately, may contract with a public or private entity for staff training and development to facilitate the transfer. The contract is not subject to the competitive bidding requirements.[89]

Public assistance benefits eligibility systems

(R.C. 5101.042)

The act requires JFS to update the systems used by the Department and CDJFSs to determine eligibility for (1) SNAP benefits, (2) benefits funded in part by the TANF block grant, (3) cash assistance provided through the Ohio Works First program, (4) Medicaid benefits, and (5) publicly funded child care. The updates must include a mechanism by which application information input by individual caseworkers can be tracked and audited. Additionally, the act requires CDJFSs to provide caseworker training regarding improper eligibility determinations.

Vocational rehabilitation assessment and support services

(Section 307.150)

The act authorizes the JFS Director to refer to vocational rehabilitation assessment and support services recipients of SNAP benefits and participants in the Ohio Works First (OWF) program who have indicated that they have a mental or physical illness or impairment. OWF is the portion of Ohio's Temporary Assistance for Needy Families (TANF) Program that provides cash assistance to needy families for up to 36 months. Federal law gives states broad discretion in establishing TANF cash assistance programs. To receive benefits, adults must sign a self-sufficiency contract that explains the participant's rights and responsibilities. Participating adults must generally complete qualified work activities, including job training, education, work

[88] By reference to R.C. 124.152, 4117.08, and 4117.10 and R.C. 124.321 to 124.328 and 145.297, not in the act.

[89] By reference to R.C. 127.16.

experience, and job search and readiness activities. Under SNAP, recipients classified as able-bodied adults without dependents are subject to work requirements.

Upon referral, the act requires an individual to continue with vocational rehabilitation assessment and support services to meet SNAP or OWF work requirements, unless the Opportunities for Ohioans with Disabilities agency determines that the individual is unable to work. If the individual fails to continue with vocational rehabilitation assessment and support services and does not otherwise meet minimum work requirements for SNAP or OWF, the individual will have their SNAP or OWF benefits terminated in accordance with federal regulations.

Notice of waiver or state plan amendment

(R.C. 5101.95)

The act requires the JFS Director, not later than 30 days prior to submitting a waiver or state plan amendment related to a public assistance benefit program to the federal government, to submit a copy of the waiver or state plan amendment to (1) the Speaker of the House, (2) the Senate President, and (3) the chairpersons of the standing committees in the House and Senate with jurisdiction over the subject matter of the waiver or state plan amendment.

Adult Protective Services funding formula

(R.C. 5101.612)

The act generally codifies the Adult Protective Services funding formula that exists in JFS rules[90] for allocating funds for Adult Protective Services to counties, except that the act's formula is based on the number of county residents aged 60 or older, rather than the number of residents under age 18.

Within available funds, JFS must distribute funds to the counties no later than 30 days after the beginning of each calendar quarter for a part of the counties' costs for Adult Protective Services. Funds provided to a county must be deposited into the Public Assistance Fund.

In each fiscal year, the amount available for distribution must be allocated to counties as follows:

1. If the amount is less than the amount initially appropriated for the preceding fiscal year, each county generally must receive an amount equal to the percentage of the funding it received that year;

2. If the amount equals the amount initially appropriated for the preceding fiscal year, each county generally must receive that amount;

3. If the amount exceeds the amount initially appropriated for the preceding fiscal year, each county must receive the amount it received that year as a base allocation, plus a percentage of the excess amount, which must be allocated as follows:

[90] O.A.C. 5101:9-6-14.

a. 12% divided equally among all counties;

b. 48% in the ratio that the number of county residents aged 60 or older bears to the total number of Ohio residents 60 or older (under JFS rules, 48% was distributed based on the number of county residents under age 18 as compared to statewide residents under 18);

c. 40% in the ratio that the number of county residents with incomes under the federal poverty line bears to the number of Ohio residents in poverty.

No later than 90 days after the end of each state fiscal biennium, each county must return any unspent funds to JFS. The JFS Director may adopt rules to allocate funds and prescribe reports on expenditures to be submitted by the counties.

Youth and Family Ombudsmen Office

(R.C. 5101.891, 5101.892, and 5101.899, with conforming changes in R.C. 5101.893, 5101.894, 5101.895, and 5101.897)

The act changes the name of the "Youth and Family Ombudsman Office" to "Youth and Family Ombudsmen Office." Additionally, it requires the Ombudsmen Office to establish procedures for investigating complaints related to government services regarding child protective services, foster care, and adoption. Continuing law requires it to establish procedures for receiving and resolving complaints, consistent with state and federal law.

Finally, the act allows the Ombudsmen Office to access Department of Children and Youth (DCY) records, in addition to JFS records as in continuing law, that are necessary for the administration of the Ombudsmen Office and the performance of its official duties. The Office has the right to request from the DCY Director, and from the JFS Director under continuing law, necessary information from any work unit of the department having information.

Unemployment

Technology and customer service fee

(Section 741.10)

The act requires, from December 31, 2025, to December 31, 2027, the JFS Director to collect a technology and customer service fee from the following types of employers:

- Employers that pay contributions to the unemployment system ("contributory employers"); and
- Nonprofit organizations and nonprofit organization groups, that are reimbursing employers (they reimburse the system for benefits paid out on their behalf).

The state, its political subdivisions, and other public entities that are reimbursing employers do not pay the fee.

For contributory employers, the technology and customer service fee may be no more than 0.15% of wages paid per covered employee. The JFS Director collects the fee on a quarterly

basis in the same manner as the Director collects the employer's contributions.[91] Most employers in Ohio are contributory employers.

For a reimbursing nonprofit organization or nonprofit organization group, the fee may be no more $13.50 per organization or group. The JFS Director must collect the fee whenever the organization or group of organizations files or renews a surety bond required under continuing law. A surety bond filed must be in force for no less than two calendar years. Bond renewals are approved by the Director at times prescribed by the Director.[92]

The act requires the JFS Director to deposit technology and customer service fees into the Unemployment Compensation Special Administrative Fund. Under continuing law, the fund includes interest, fines, and forfeitures collected under the Unemployment Compensation Law, as well as money from the sale of certain real estate. The Director uses the fund to pay certain administrative costs associated with the unemployment compensation system.[93]

Temporary employees

(R.C. 4141.29; Section 801.10)

The act specifies that, for an initial unemployment benefits claim filed on or after September 30, 2025, an individual is considered to have quit work without just cause, thus disqualifying the individual from serving a waiting period or receiving unemployment benefits for the duration of the individual's unemployment, if all the following apply:

- The individual is provided temporary work assignments by the individual's employer under agreed terms and conditions of employment;
- The individual is required pursuant to those terms and conditions to inquire with the individual's employer for available work assignments on the conclusion of each work assignment;
- Suitable work assignments are available with the employer, but the individual fails to contact the employer to inquire about work assignments.

Prior law specified that such an individual was not considered unable to obtain suitable employment. Under continuing law, an individual is prohibited from serving a waiting period or receiving unemployment benefits for any week that the individual is not unable to find suitable employment. Thus, the act disqualifies an individual described above from serving a waiting period or receiving unemployment benefits for the duration of the individual's unemployment, instead of just for any week as under prior law.

[91] R.C. 4141.20(B), not in the act.

[92] R.C. 4141.241(C), not in the act.

[93] R.C. 4141.11, not in the act.

Deadline for unemployment compensation reports

(R.C. 4141.56 and 4141.60)

The act establishes August 1 as the annual deadline for the JFS Director to submit the annual report, required by continuing law, on each of the following topics involving unemployment compensation:

- Utilization of the SharedWork Ohio Program;
- Calls received at Director-operated call centers, the total number of benefit claims, the number of potentially fraudulent claims, the number of complaints submitted through the Director's uniform complaint process, and a summary of technology updates or changes.

Under former law, it appeared that the annual deadlines for submitting the reports were inconsistent.

Under continuing law, the Director must submit the reports to the Governor, the Senate President, and the Speaker of the House. In addition, the Director must submit the SharedWork Ohio report to the Minority Leaders of the House and Senate.

Finally, the act eliminates the Unemployment Modernization and Improvement Council as a recipient of the second report because the Council no longer exists.

Interest on late unemployment employer payments

(R.C. 4141.23)

The act changes the annual interest rate for late unemployment employer contributions, payments in lieu of contributions (reimbursements), interest, forfeitures, or fines not paid by an employer when due. Beginning January 1, 2026, a late payment bears interest at the rounded federal short-term rate, not to exceed 15% (if in effect for 2025, the interest rate for late payments would be 8%).[94] Before that date, a late unemployment employer payment bears interest at the annual rate of 14% compounded monthly on the aggregate receivable balance due.

The act also removes an obsolete provision that established the annual interest rate for late unemployment employer contributions or reimbursements due before January 1, 1993.

Covered public employers

(R.C. 4141.01, 4141.011, and 4141.02)

The act expands the definition of "employer" for purposes of the Unemployment Compensation Law to include *any* state, its instrumentalities, and its political subdivisions and

[94] Annual Certified Interest Rates, which is available by conducting a keyword "Interest rates" search on the Ohio Department of Taxation website: tax.ohio.gov.

their instrumentalities. The prior law definition of "employer," with respect to public employers, included Ohio, its instrumentalities, and its political subdivisions and their instrumentalities.

The act reorganizes the definition of "employer" for purposes of the Unemployment Compensation Law and eliminates outdated provisions.

Seasonal employment determinations

(R.C. 4141.33)

The act requires the JFS Director to determine whether employment is seasonal using an application filed by an employer and any other information available to the Director. Formerly, after an employer filed the application for a determination, the Director was required to perform an investigation, provide notice, and hold a hearing before determining whether employment is seasonal in nature.

Under continuing law, employment is seasonal in an industry if, because of climatic conditions or the seasonal nature of the industry, it is customary to operate only during regularly recurring periods of 40 weeks or less in any consecutive 52 weeks. Any employer who claims to have seasonal employment in a seasonal industry may file a written application requesting the JFS Director to classify the employment as seasonal for purposes of the Unemployment Compensation Law.

When the JFS Director determines that a type of employment is seasonal, unemployment benefits for loss of work from the employment are payable only during the longest seasonal periods that the best practices of the industry reasonably permit. The Director establishes seasonal periods and the proportionate number of weeks of employment and earnings required to qualify for seasonal benefit rights. The number of weeks of employment and earnings established by the Director in a seasonal determination replace the weeks of employment and earnings required to receive ordinary benefits.

Income and Eligibility Verification System

(R.C. 4141.162)

The act requires the JFS Director to disclose wage and claim information, on request, to any state or local agency administering a program included in the Income and Eligibility Verification System (IEVS) that has entered into a written data sharing agreement with the Director that meets federal standards. The IEVS is required by federal law and is used to determine eligibility and benefit amounts for unemployment compensation and other benefit programs.[95]

The act also eliminates a requirement that the JFS Director adopt rules implementing the IEVS.

[95] 42 U.S.C. 1320b-7 and 20 C.F.R. 603.10.

Unemployment Compensation Review Commission

Access to digital photographic records

(R.C. 4507.53)

The act allows the Department of Public Safety's digitalized photographic records to be released to the Unemployment Compensation Review Commission (UCRC) (the agency that hears unemployment claim appeals) for the purpose of carrying out its functions under the Unemployment Compensation Law. Under continuing law, records may be released to JFS for the purpose of carrying out its functions under the Law.

UCRC hearings

(R.C. 4141.281)

The act allows a UCRC hearing officer to conduct a hearing by interactive video conference. Under continuing law, a hearing officer may conduct a hearing in person or by telephone.

Unemployment Compensation Integrity Board

(R.C. 4141.08)

The act creates the Unemployment Compensation Integrity Board to advise and consult with the JFS Director in the administration and enforcement of Ohio's Unemployment Compensation Law, including making recommendations to the Director regarding proposed rules or public private partnerships. The Board consists of the following members:

- The JFS Director, or the Director's authorized representative;
- One member of the House appointed by the Speaker;
- One member of the Senate appointed by the Senate President;
- The following members to be appointed by the JFS Director:
  - A representative from the Ohio Chamber of Commerce or its successor organization;
  - A representative from the National Federation of Independent Business or its successor organization;
  - A third-party administrator that is a third-party commercial consumer reporting agency in accordance with federal law;
  - A representative from the Ohio Federation of Labor or its successor organization;
  - A representative from the Affiliated Construction Trades of Ohio or its successor organization;
  - A representative from the Ohio Conference of Teamsters or its successor organization.

The JFS Director, or the Director's authorized representative, serves as the Board's chairperson. The Board must meet at least two times each calendar year.

Each member appointed by the JFS Director serves three-year terms that expire on December 31, must continue in office for the entirety of the member's term unless removed for misfeasance, malfeasance, or nonfeasance, and must continue in office after the term expires until the member's successor takes office or a period of 60 days has elapsed, whichever occurs first.

Board members who are Senate and House members must serve during their terms as members of the General Assembly and until their successors are appointed and qualified, notwithstanding the adjournment of the General Assembly of which they are members or the expiration of their terms.

The Board's meetings must comply with Ohio's Open Meetings Law.[96] Board members must comply with the Ohio Ethics Law.[97]

Worker Adjustment and Retraining Notification (WARN) Act

(R.C. 4113.31)

The act expressly states that Ohio employers subject to the federal Worker Adjustment and Retraining Notification (WARN) Act (those with 100 or more employees) must comply with that act. Unless an exception applies, the WARN Act requires a covered employer to provide specified individuals with written notice 60 days before a mass layoff or plant closing. If the employer fails to provide the required notice, the employer may be liable for damages, civil penalties, and attorney's fees.[98]

As stated in the act, the WARN Act's notice requirement applies to any private sector employer and any public or quasi-public employer that engages in business, such as taking part in a commercial enterprise, if the employer:

- Employs 100 or more employees, excluding part-time employees (an employee who works less than 20 hours per week or who has worked for fewer than six months in the 12 months preceding the date of the notice); or
- Employs 100 or more employees who work at least a combined 4,000 hours a week.[99]

For additional details about the WARN Act, including the content of the notice, remedies for violations, and instances where the 60-day period can be reduced or waived, see the LSC Plant Closure and Layoff Notices (PDF) Members Brief, which is available on LSC's website: lsc.ohio.gov/Publications.

The act specifies that it does not establish different requirements or remedies than those established by federal statutes and regulations. Because the act applies to the same employers

[96] R.C. 121.22.

[97] R.C. Chapter 102.

[98] 29 U.S.C. 2102 and 2104.

[99] 29 U.S.C. 2101.

as the WARN Act and does not create new requirements or remedies, it is not clear what effect it will have.

Additionally, if the WARN Act is amended after September 30, 2025 (the act's effective date), the differences between the act and the amended WARN Act may trigger legal questions, including preemption under the Supremacy Clause of the U.S. Constitution.[100]

[100] U.S. Constitution, Article VI, Clause 2.