The Ohio SHRM State Council
Monthly Legislative Report

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UPCOMING IMPORTANT DATES IN 2013

September 18-20, 2013: 2013 Ohio Human Resource Conference: HR – Making Connections that Count. Kalahari Resort in Sandusky, Ohio. Details and registration information available at http://www.ohioshrm.org/hr_conf/

TOP HR NEWS IN OHIO

Ohio Legislature Debates Payroll Debit Cards

On August 27, Ohio House Democrats officially entered the national debate over payroll debit cards, introducing legislation that would guarantee workers the right to be paid by direct deposit or paper check. Representative John Rogers said that "Paycheck Freedom Bill" HB253 would provide options to the prepaid debit card now being used by retailers and restaurant chains including McDonalds.

Ohio Incumbent Workforce Training Voucher Program

On September 5, the second funding round began for the Ohio Incumbent Workforce Training Voucher Program. According to the Ohio Developmental Services Agency, the program partners with Ohiomeansjobs.com to provide direct financial assistance to train workers and improve the economic competitiveness of Ohio's employers. It is designed to offset a portion of the employer's costs to upgrade the skills of its incumbent workforce and will provide reimbursement to eligible employers for specific training costs accrued during training. The program's funding will be used in conjunction with private contributions to fund skill-upgrade training. Additional information and an online application can be found at http://development.ohio.gov/bs/bs_wtvp.htm.

State & National Unemployment Numbers for July-August 2013

Ohio added 5,300 jobs in July, but the state's unemployment rate stayed at 7.2 percent, according to the Ohio Department of Job and Family Services (ODJFS). ODJFS released the monthly report based off the monthly business establishment and household surveys conducted in conjunction with the U.S. Bureau of Labor Statistics, showing the number of unemployed workers rose by 3,000 in July, going from 413,000 in June to 416,000.

On September 6, the U.S. Department of Labor's Bureau of Labor Statistics reported that the federal unemployment rate decreased slightly to 7.3 percent in August from 7.4 percent in July. The bureau said the number of unemployed people, at 11.3 million, also was little changed.

HB235 (Employment Applications)

Representative Sandra Williams introduced HB235 on July 25. The bill seeks to prohibit employers from including on an employment application any question concerning whether an applicant has been convicted of or pleaded guilty to a felony.

HB253 (Paycheck Card)

On August 27, Representative John Rogers introduced HB253, legislation to prohibit certain employers from requiring employees to accept the employees' pay in the form of a paycheck card.

SB176 (Illegal Aliens-Workers' Compensation)

Senator Bill Seitz introduced SB176 on August 12. The bill would prohibit illegal and unauthorized aliens from receiving compensation and certain benefits under Ohio's Workers' Compensation Law.

SHRM LEGISLATIVE TRACKING

Employment Law

HB82 OHIO'S CIVIL RIGHTS LAW EXEMPTION (HAYES B, BLAIR T) To exempt religious corporations, associations, educational institutions, or societies from the definition of "employer" for the purpose of Ohio's Civil Rights law.
Current Status: 3/6/2013 - House Judiciary, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_82

HB98 OCCUPATIONAL LICENSING LAW (GONZALES A, RETHERFORD W) To revise the Occupational Licensing Law regarding military service members and veterans.
Current Status: 9/12/2013 - Informally Passed
State Bill Page:

HB120 GENDER PAY DISPARITY TASK FORCE (LUNDY M, DRIEHAUS D) Create Gender Pay Disparity Task Force.
Current Status: 5/8/2013 - House Commerce, Labor and Technology, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_120

HB163 OHIO CIVIL RIGHTS LAW EXPANSION (MCGREGOR R, ANTONIO N) To prohibit discrimination on the basis of sexual orientation or gender identity.
Current Status: 5/22/2013 - House Commerce, Labor and Technology, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_163

SHRM LEGISLATIVE TRACKING

HB179 EMPLOYERS-COURT-ORDERED PARENTING TIME (BISHOFF H) To require certain employers to allow a parent to exercise court-ordered parenting time without terminating the parent's employment, reducing the parent's pay, or taking other similar action against the parent.
Current Status: 6/12/2013 - House Commerce, Labor and Technology, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_179

HB235 EMPLOYMENT APPLICATIONS (WILLIAMS S) To prohibit employers from including on an employment application any question concerning whether an applicant has been convicted of or pleaded guilty to a felony.
Current Status: 7/25/2013 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_235

HB253 PAYCHECK CARD (ROGERS J) To prohibit certain employers from requiring employees to accept the employees' pay in the form of a paycheck card.
Current Status: 8/27/2013 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_253

SB45 PRIVATE ELECTRONIC ACCOUNTS ACCESS (TAVARES C) To prohibit employers, employment agencies, personnel placement services, and labor organizations from requiring an applicant or employee to provide access to private electronic accounts of the applicant or employee.
Current Status: 3/6/2013 - Senate Commerce and Labor, (Second Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_45

SB70 OHIO CIVIL RIGHTS LAW (TAVARES C) To specify that discrimination by an employer against any person because of the person's credit history is an unlawful discriminatory practice under the Ohio Civil Rights Law.
Current Status: 3/13/2013 - Referred to Committee Senate Commerce and Labor
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_70

SB92 WAGE DISCRIMINATION (TURNER N, TAVARES C) To enact the "Fair and Acceptable Income Required (FAIR) Act" and to revise the enforcement of the prohibitions against discrimination in the payment of wages.
Current Status: 6/18/2013 - Senate Commerce and Labor, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_92

SB119 DOMESTIC WORKERS PROTECTION (TAVARES C) To require that domestic workers be paid the minimum wage, to require that domestic workers be paid overtime wages, to make certain conduct directed toward a domestic worker an unlawful discriminatory practice, and to require a weekly day of rest for domestic workers.
Current Status: 6/18/2013 - Senate Commerce and Labor, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_119

SHRM LEGISLATIVE TRACKING

SB125 OHIO CIVIL RIGHTS LAW EXPANSION (LAROSE F, SKINDELL M) To prohibit discrimination on the basis of sexual orientation or gender identity.
Current Status: 6/26/2013 - Referred to Committee Senate Civil Justice
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_125

SB128 SOCIAL SECURITY NUMBER REQUIREMENT (TAVARES C) To restrict a person's ability to require, solicit, mail, and publicly display social security numbers.
Current Status: 6/26/2013 - Senate Commerce and Labor, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_128

SB157 EMPLOYMENT TAX CREDIT-CONVICTED INDIVIDUALS (TAVARES C) To create a tax credit for the employment of individuals who have been convicted of criminal offenses.
Current Status: 7/11/2013 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_157

Healthcare

HB3 HEALTH BENEFIT EXCHANGE (SEARS B, KUNZE S) To specify licensing and continuing education requirements for insurance agents involved in selling, soliciting, or negotiating sickness and accident insurance through a health benefit exchange.
Current Status: 4/30/2013 - SIGNED BY GOVERNOR; Eff. 7/30/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_3

HB91 HEALTH CARE FREEDOM ACT (YOUNG R, THOMPSON A) To enact the Health Care Freedom Act.
Current Status: 4/24/2013 - House Health and Aging, (Second Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_91

HB117 CAPTIVE INSURANCE COMPANIES (HACKETT R, STINZIANO M) To provide for the operation of captive insurance companies in Ohio.
Current Status: 6/18/2013 - Referred to Committee Senate Insurance and Financial Institutions
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_117

HB121 OHIO HEALTH SECURITY ACT (HAGAN R, FOLEY M) To enact the Ohio Health Security Act to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.
Current Status: 4/17/2013 - Referred to Committee House Insurance
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_121

SHRM LEGISLATIVE TRACKING

HB125 MEDICAID EXPANSION (CARNEY J, ANTONIO N) To permit the Medicaid program to cover the eligibility expansion group authorized by the Patient Protection and Affordable Care Act and to make an appropriation.
Current Status: 4/17/2013 - Referred to Committee House Finance and Appropriations
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_125

SB9 INSURANCE AGENTS EDUCATION REQUIREMENTS (BACON K) To specify licensing and continuing education requirements for insurance agents involved in selling, soliciting, or negotiating sickness and accident insurance through a health benefit exchange
Current Status: 6/4/2013 - SIGNED BY GOVERNOR; Eff. 9/4/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_9

SB88 OHIO HEALTH BENEFIT EXCHANGE PROGRAM (SKINDELL M) To establish the Ohio Health Benefit Exchange Agency and to establish the Ohio Health Benefit Exchange Program consisting of an exchange for individual coverage and a Small Business Health Options Program.
Current Status: 4/10/2013 - Senate Insurance and Financial Institutions, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_88

SB104 OHIO HEALTH CARE PLAN (SKINDELL M) To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.
Current Status: 4/16/2013 - Referred to Committee Senate Medicaid, Health and Human Services
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_104

Labor Relations

HB151 RIGHT TO WORK-PRIVATE EMPLOYERS (ROEGNER K) To prohibit any requirement that employees of private employers join or pay dues to any employee organization and to establish civil and criminal penalties against employers who violate that prohibition.
Current Status: 6/4/2013 - House Manufacturing and Workforce Development, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_151

HB152 RIGHT TO WORK-PUBLIC EMPLOYEES (MAAG R) To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization.
Current Status: 5/7/2013 - Referred to Committee House State and Local Government
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_152

HJR5 RIGHT TO WORK (ROEGNER K, MAAG R) Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to prohibit employees from being forced to participate in a labor organization as a condition of employment.
Current Status: 6/4/2013 - House Manufacturing and Workforce Development, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/res.cfm?ID=130_HJR_5

SHRM LEGISLATIVE TRACKING

Taxation

HB107 CAREER EXPLORATION INTERNSHIPS-TAX CREDIT (BAKER N) To authorize a tax credit for businesses that employ high school students in career exploration internships.
Current Status: 6/12/2013 - House Ways and Means, (Second Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_107

HB230 TAX CREDIT-FOOD DONATIONS (GROSSMAN C, ANIELSKI M) To authorize an income tax or commercial activity tax credit for businesses that donate food inventory to charitable organizations.
Current Status: 7/11/2013 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_230

SB89 EARNED INCOME TAX CREDIT (SKINDELL M) To grant a state earned income tax credit equal to a percentage of the federal earned income tax credit.
Current Status: 6/11/2013 - Senate Ways and Means, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_89

Unemployment Compensation

HB2 UNEMPLOYMENT COMPENSATION CLAIMANT (DERICKSON T, BROWN T) To require an unemployment compensation claimant to register with OhioMeansJobs to be eligible for unemployment compensation benefits and to require a claimant to contact a local one-stop office beginning with the eighth week of filing for unemployment.
Current Status: 7/11/2013 - SIGNED BY GOVERNOR; Eff. 10/11/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_2

HB22 MILITARY SPOUSE UNEMPLOYMENT COMPENSATION (PILLICH C) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits.
Current Status: 2/13/2013 - House Commerce, Labor and Technology, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_22

HB37 SHAREDWORK OHIO PROGRAM (DUFFEY M, SCHERER G) To create the SharedWork Ohio Program and to declare an emergency.
Current Status: 7/11/2013 - SIGNED BY GOVERNOR; Eff. 7/11/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_37

HB55 UNEMPLOYMENT ELIGIBILITY-MILITARY SPOUSE (PILLICH C, TERHAR L) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits.
Current Status: 2/27/2013 - House Commerce, Labor and Technology, (Third Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_55

SHRM LEGISLATIVE TRACKING

SB8 UNEMPLOYMENT COMPENSATION BENEFITS-MILITARY SPOUSE (LAROSE F) To permit persons who quit work to accompany the person's spouse on a military transfer to be eligible for unemployment compensation benefits.
Current Status: 6/26/2013 - PASSED BY SENATE; Bill Vote 32-0 Emergency Clause Vote 32-0
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_8

SB14 UNEMPLOYMENT COMPENSATION LAW (KEARNEY E) To authorize programs and tax credits to encourage the hiring of unemployed individuals, to make changes to the Unemployment Compensation Law.
Current Status: 2/13/2013 - Referred to Committee Senate Finance
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_14

SB25 SHAREDWORK OHIO PROGRAM (PETERSON B, LAROSE F) To create the SharedWork Ohio Program and to declare an emergency.
Current Status: 4/10/2013 - Referred to Committee House Commerce, Labor and Technology
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_25

Workers' Compensation

HB33 INDUSTRIAL COMMISSION BUDGET (HACKETT R) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2013, and ending June 30, 2015, and to provide authorization and conditions for the operation of Commission programs.
Current Status: 3/26/2013 - SIGNED BY GOVERNOR; Eff. 3/26/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_33

HB34 WORKERS' COMPENSATION BUDGET (HACKETT R) To make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2013, and ending June 30, 2015; and to provide authorization and conditions for the operation of the Bureau's programs.
Current Status: 3/26/2013 - SIGNED BY GOVERNOR; Eff. 3/26/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_34

HB143 WORKERS' COMPENSATION (DEVITIS A, BUTLER, JR. J) To require the Administrator of Workers' Compensation to include in the notice of premium rate that is applicable to an employer for an upcoming policy year the mathematical equation used by the Administrator to determine the employer's premium rate.
Current Status: 5/14/2013 - House Insurance, (First Hearing)
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_143

SB176 ILLEGAL ALIENS-WORKERS' COMPENSATION (SEITZ B) To prohibit illegal and unauthorized aliens from receiving compensation and certain benefits under Ohio's Workers' Compensation Law.
Current Status: 8/12/2013 - Introduced
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_176

SHRM LEGISLATIVE TRACKING

Workforce Development

HB1 OHIO WORKFORCE DEVELOPMENT LAW (DERICKSON T, ROMANCHUK M) To require a local workforce investment area to use OhioMeansJobs as the local workforce investment area's job placement system, to rename county one-stop systems, and to make other changes to Ohio's Workforce Development Law.
Current Status: 6/27/2013 - SIGNED BY GOVERNOR; Eff. 9/27/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_1

SB1 OHIOMEANSJOBS WORKFORCE DEVELOPMENT REVOLVING LOAN FUND (BEAGLE B, BALDERSON T) To create the OhioMeansJobs Workforce Development Revolving Loan Fund, to create the OhioMeansJobs Workforce Development Revolving Loan Program, to allocate a portion of casino license fees to finance the loan program, and to make an appropriation.
Current Status: 7/11/2013 - SIGNED BY GOVERNOR; Eff. 10/11/2013
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_1

SB2 OHIO'S WORKFORCE DEVELOPMENT LAW (LEHNER P, BEAGLE B) To require a local workforce investment area to use OhioMeansJobs as the local workforce investment area's job placement system, to rename county one-stop systems, and to make other changes to Ohio's Workforce Development Law.
Current Status: 4/10/2013 - Referred to Committee House Manufacturing and Workforce Development
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_SB_2

Misc.

HB59 BIENNIAL BUDGET (AMSTUTZ R) To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs.
Current Status: 6/30/2013 - SIGNED BY GOVERNOR
State Bill Page: http://www.legislature.state.oh.us/bills.cfm?ID=130_HB_59

OTHER NEWS IN STATE, LOCAL & FEDERAL GOVERNMENT

Federal Food Assistance

The Ohio Department of Job and Family Services (ODJFS) recently asked the federal government to waive work requirements for low-income Ohioans on federal food assistance in 16 counties still struggling with especially high unemployment. In Ohio's 72 other counties, where the economy is recovering more quickly, ODJFS will work with county departments of job and family services to ramp-up efforts to help able-bodied adults without dependents find work. The 16 counties in which the work requirement will be waived are Adams, Brown, Clinton, Coshocton, Highland, Huron, Jefferson, Meigs, Monroe, Morgan, Muskingum, Noble, Ottawa, Perry, Pike and Scioto.

Housing

The Ohio Housing Finance Agency (OHFA) has received a thumbs-up from the U.S. Department of the Treasury to use remaining dollars in its Hardest Hit Fund to help demolish vacant homes across the state. OHFA said it will spend up to $60 million of the $270 million left in the Hardest Hit Fund, a federal program aimed at helping those facing foreclosure. The agency said the money will go to its Neighborhood Initiative Program, designed to stem the decline in home values in communities with numerous vacant and abandoned properties.

The OHFA Board recently approved more than $1.3 million for its Housing Investment Fund program to meet housing needs not currently met by OHFA. The three initiatives receiving program funding included the Housing Stabilization and Homelessness Prevention Program in Franklin, Montgomery and Lucas Counties ($651,120); a Mobile Health Clinic in Cuyahoga County ($478,000); and the Ohio LIHTC Stabilization and Preservation Initiative in Cuyahoga, Lucas and Mahoning Counties ($250,000).

Taxation

Two Ohio tax changes enacted in the FY14-15 budget (HB59) went into effect on Sunday, September 1. The state sales tax increased .25 percent to 5.75 percent, and the state income tax dropped 8.5 percent. Because all local jurisdictions impose local sales and use tax in addition to the state tax rate, the Ohio Department of Taxation has provided a database of local sales and use taxes called the "Finder" at https://thefinder.tax.ohio.gov/StreamlineSalesTaxWeb/Default.aspx.

The agency also said Ohio employers should begin using new state income tax withholding rates for payrolls ending on or after September 1, 2013. Tables can be found at www.tax.ohio.gov/employer_withholding/employer_withholding_tables_090113.aspx.