

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 287**

**Senator Schaffer**

**Cosponsors: Senators Sykes, Williams, Fedor**

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**A BILL**

To amend sections 9.44, 124.181, 4112.02, and  
4117.10 of the Revised Code to permit state  
employees to receive longevity and vacation  
credit for prior military service.

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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 9.44, 124.181, 4112.02, and  
4117.10 of the Revised Code be amended to read as follows:

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**Sec. 9.44.** (A) As used in this section, "uniformed  
services" includes all of the following:

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(1) The armed forces of the United States;

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(2) The army nurse corps, navy nurse corps, red cross  
nurse serving with the army, navy, air force, or hospital  
service of the United States, full-time service with the  
American red cross in a combat zone, and any other service as is  
designated by the congress as included therein;

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(3) The commissioned corps of the national oceanic and  
atmospheric administration;

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(4) The commissioned corps of the public health service;

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(5) Personnel of the Ohio national guard and the reserve 18  
components of the forces in divisions (A) (1) and (2) of this 19  
section who are called to active duty pursuant to an executive 20  
order issued by the president of the United States or an act of 21  
congress. 22

(B) (1) Except as otherwise provided in this section, a-for 23  
purposes of computing the amount of an employee's vacation 24  
leave: 25

(a) A person employed, other than as an elective officer, 26  
by the state or any political subdivision of the state, earning 27  
vacation credits currently, is entitled to have the employee's 28  
prior service with any of these employers counted as service 29  
with the state or any political subdivision of the state,~~for~~ 30  
~~the purpose of computing the amount of the employee's vacation~~ 31  
~~leave.~~ 32

(b) A person employed, other than as an elective officer, 33  
by the state, earning vacation credits currently, may have up to 34  
five years of the employee's prior service as a member of the 35  
uniformed services counted as service with the state. A partial 36  
year of service as a member of the uniformed services of eight 37  
continuous months or more shall be counted as a full year of 38  
service with the state. 39

(2) An employee shall submit proof to the director of 40  
administrative services of the employee's prior service under 41  
division (B) (1) (b) of this section within ninety days after the 42  
date of the employee's hiring to have the employee's prior 43  
service counted for purposes of computing vacation leave. If the 44  
employee submits the proof to the director after that time, the 45  
employee shall not receive any amount of vacation leave for the 46  
period prior to the date of the director's approval of the grant 47

of credit for prior service.

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(3) The anniversary date of employment for the purpose of  
computing the amount of ~~the~~ an employee's vacation leave, unless  
deferred pursuant to the appropriate law, ordinance, or  
regulation, is the anniversary date of such prior service.

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~~(B)~~ (C) To determine prior service for the purpose of  
computing the amount of vacation leave for a person initially  
employed on or after July 5, 1987, by:

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(1) A municipal corporation, the person shall have only  
prior service within that municipal corporation counted;

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(2) A township, the person shall have only prior service  
with a township counted.

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~~(C)~~ (D) An employee who has retired in accordance with the  
provisions of any retirement plan offered by the state and who  
is employed by the state or any political subdivision of the  
state on or after June 24, 1987, shall not have prior service  
with the state, any political subdivision of the state, or a  
regional council of government established in accordance with  
Chapter 167. of the Revised Code counted for the purpose of  
computing vacation leave.

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**Sec. 124.181.** (A) Except as provided in divisions (M) and  
(P) of this section, any employee paid in accordance with  
schedule B of section 124.15 or schedule E-1 of section 124.152  
of the Revised Code is eligible for the pay supplements provided  
in this section upon application by the appointing authority  
substantiating the employee's qualifications for the supplement  
and with the approval of the director of administrative services  
except as provided in division (E) of this section.

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(B) (1) In computing any of the pay supplements provided in

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this section for an employee paid in accordance with schedule B 77  
of section 124.15 of the Revised Code, the classification salary 78  
base shall be the minimum hourly rate of the pay range, provided 79  
in that section, in which the employee is assigned at the time 80  
of computation. 81

(2) In computing any of the pay supplements provided in 82  
this section for an employee paid in accordance with schedule E- 83  
1 of section 124.152 of the Revised Code, the classification 84  
salary base shall be the minimum hourly rate of the pay range, 85  
provided in that section, in which the employee is assigned at 86  
the time of computation. 87

(C) The effective date of any pay supplement, except as 88  
provided in section 124.183 of the Revised Code or unless 89  
otherwise provided in this section, shall be determined by the 90  
director. 91

(D) The director shall, by rule, establish standards 92  
regarding the administration of this section. 93

(E) (1) Except as otherwise provided in this division, 94  
beginning on the first day of the pay period within which the 95  
employee completes five years of total service with the state 96  
government or any of its political subdivisions, each employee 97  
in positions paid in accordance with schedule B of section 98  
124.15 of the Revised Code or in accordance with schedule E-1 of 99  
section 124.152 of the Revised Code shall receive an automatic 100  
salary adjustment equivalent to two and one-half per cent of the 101  
classification salary base, to the nearest whole cent. Each 102  
employee shall receive thereafter an annual adjustment 103  
equivalent to one-half of one per cent of the employee's 104  
classification salary base, to the nearest whole cent, for each 105  
additional year of qualified employment until a maximum of ten 106

per cent of the employee's classification salary base is 107  
reached. The granting of longevity adjustments shall not be 108  
affected by promotion, demotion, or other changes in 109  
classification held by the employee, nor by any change in pay 110  
range for the employee's class or grade. Longevity pay 111  
adjustments shall become effective at the beginning of the pay 112  
period within which the employee completes the necessary length 113  
of service, except that when an employee requests credit for 114  
prior service, the effective date of the prior service credit 115  
and of any longevity adjustment shall be the first day of the 116  
pay period following approval of the credit by the director of 117  
administrative services. No employee, other than an employee who 118  
submits proof of prior service within ninety days after the date 119  
of the employee's hiring, shall receive any longevity adjustment 120  
for the period prior to the director's approval of a prior 121  
service credit. Time spent on authorized leave of absence shall 122  
be counted for this purpose. 123

(2) An employee who has retired in accordance with the 124  
provisions of any retirement system offered by the state and who 125  
is employed by the state or any political subdivision of the 126  
state on or after June 24, 1987, shall not have prior service 127  
with the state or any political subdivision of the state counted 128  
for the purpose of determining the amount of the salary 129  
adjustment provided under this division. 130

(3) There shall be a moratorium on employees' receipt 131  
under this division of credit for service with the state 132  
government or any of its political subdivisions during the 133  
period from July 1, 2003, through June 30, 2005. In calculating 134  
the number of years of total service under this division, no 135  
credit shall be included for service during the moratorium. The 136  
moratorium shall apply to the employees of the secretary of 137

state, the auditor of state, the treasurer of state, and the 138  
attorney general, who are subject to this section unless the 139  
secretary of state, the auditor of state, the treasurer of 140  
state, or the attorney general decides to exempt the office's 141  
employees from the moratorium and so notifies the director of 142  
administrative services in writing on or before July 1, 2003. 143

If an employee is exempt from the moratorium, receives 144  
credit for a period of service during the moratorium, and takes 145  
a position with another entity in the state government or any of 146  
its political subdivisions, either during or after the 147  
moratorium, and if that entity's employees are or were subject 148  
to the moratorium, the employee shall continue to retain the 149  
credit. However, if the moratorium is in effect upon the taking 150  
of the new position, the employee shall cease receiving 151  
additional credit as long as the employee is in the position, 152  
until the moratorium expires. 153

(4) An employee who has completed one year of service with 154  
the state may have up to five years of the employee's prior 155  
service as a member of the uniformed services, as defined in 156  
section 9.44 of the Revised Code, counted for the purpose of 157  
determining the amount of the salary adjustment provided under 158  
this division. A partial year of service as a member of the 159  
uniformed services of eight continuous months or more shall be 160  
counted as a full year of service with the state. 161

(F) When an exceptional condition exists that creates a 162  
temporary or a permanent hazard for one or more positions in a 163  
class paid in accordance with schedule B of section 124.15 of 164  
the Revised Code or in accordance with schedule E-1 of section 165  
124.152 of the Revised Code, a special hazard salary adjustment 166  
may be granted for the time the employee is subjected to the 167

hazardous condition. All special hazard conditions shall be 168  
identified for each position and incidence from information 169  
submitted to the director on an appropriate form provided by the 170  
director and categorized into standard conditions of: some 171  
unusual hazard not common to the class; considerable unusual 172  
hazard not common to the class; and exceptional hazard not 173  
common to the class. 174

(1) A hazardous salary adjustment of five per cent of the 175  
employee's classification salary base may be applied in the case 176  
of some unusual hazardous condition not common to the class for 177  
those hours worked, or a fraction of those hours worked, while 178  
the employee was subject to the unusual hazard condition. 179

(2) A hazardous salary adjustment of seven and one-half 180  
per cent of the employee's classification salary base may be 181  
applied in the case of some considerable hazardous condition not 182  
common to the class for those hours worked, or a fraction of 183  
those hours worked, while the employee was subject to the 184  
considerable hazard condition. 185

(3) A hazardous salary adjustment of ten per cent of the 186  
employee's classification salary base may be applied in the case 187  
of some exceptional hazardous condition not common to the class 188  
for those hours worked, or a fraction of those hours worked, 189  
when the employee was subject to the exceptional hazard 190  
condition. 191

(4) Each claim for temporary hazard pay shall be submitted 192  
as a separate payment and shall be subject to an administrative 193  
audit by the director as to the extent and duration of the 194  
employee's exposure to the hazardous condition. 195

(G) When a full-time employee whose salary or wage is paid 196

directly by warrant of the director of budget and management and 197  
who also is eligible for overtime under the "Fair Labor 198  
Standards Act of 1938," 52 Stat. 1060, 29 U.S.C.A. 207, 213, as 199  
amended, is ordered by the appointing authority to report back 200  
to work after termination of the employee's regular work 201  
schedule and the employee reports, the employee shall be paid 202  
for such time. The employee shall be entitled to four hours at 203  
the employee's total rate of pay or overtime compensation for 204  
the actual hours worked, whichever is greater. This division 205  
does not apply to work that is a continuation of or immediately 206  
preceding an employee's regular work schedule. 207

(H) When a certain position or positions paid in 208  
accordance with schedule B of section 124.15 of the Revised Code 209  
or in accordance with schedule E-1 of section 124.152 of the 210  
Revised Code require the ability to speak or write a language 211  
other than English, a special pay supplement may be granted to 212  
attract bilingual individuals, to encourage present employees to 213  
become proficient in other languages, or to retain qualified 214  
bilingual employees. The bilingual pay supplement provided in 215  
this division may be granted in the amount of five per cent of 216  
the employee's classification salary base for each required 217  
foreign language and shall remain in effect as long as the 218  
bilingual requirement exists. 219

(I) The director of administrative services may establish 220  
a shift differential for employees. The differential shall be 221  
paid to employees in positions working in other than the regular 222  
or first shift. In those divisions or agencies where only one 223  
shift prevails, no shift differential shall be paid regardless 224  
of the hours of the day that are worked. The director and the 225  
appointing authority shall designate which positions shall be 226  
covered by this division. 227

(J) An appointing authority may assign an employee to work 228  
in a higher level position for a continuous period of more than 229  
two weeks but no more than two years. The employee's pay shall 230  
be established at a rate that is approximately four per cent 231  
above the employee's current base rate for the period the 232  
employee occupies the position, provided that this temporary 233  
assignment is approved by the director. Employees paid under 234  
this division shall continue to receive any of the pay 235  
supplements due them under other divisions of this section based 236  
on the step one base rate for their normal classification. 237

(K) If a certain position, or positions, within a class 238  
paid in accordance with schedule B of section 124.15 of the 239  
Revised Code or in accordance with schedule E-1 of section 240  
124.152 of the Revised Code are mandated by state or federal law 241  
or regulation or other regulatory agency or other certification 242  
authority to have special technical certification, registration, 243  
or licensing to perform the functions which are under the 244  
mandate, a special professional achievement pay supplement may 245  
be granted. This special professional achievement pay supplement 246  
shall not be granted when all incumbents in all positions in a 247  
class require a license as provided in the classification 248  
description published by the department of administrative 249  
services; to licensees where no special or extensive training is 250  
required; when certification is granted upon completion of a 251  
stipulated term of in-service training; when an appointing 252  
authority has required certification; or any other condition 253  
prescribed by the director. 254

(1) Before this supplement may be applied, evidence as to 255  
the requirement must be provided by the agency for each position 256  
involved, and certification must be received from the director 257  
as to the director's concurrence for each of the positions so 258

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| affected.                                                        | 259 |
| (2) The professional achievement pay supplement provided         | 260 |
| in this division shall be granted in an amount up to ten per     | 261 |
| cent of the employee's classification salary base and shall      | 262 |
| remain in effect as long as the mandate exists.                  | 263 |
| (L) Those employees assigned to teaching supervisory,            | 264 |
| principal, assistant principal, or superintendent positions who  | 265 |
| have attained a higher educational level than a basic bachelor's | 266 |
| degree may receive an educational pay supplement to remain in    | 267 |
| effect as long as the employee's assignment and classification   | 268 |
| remain the same.                                                 | 269 |
| (1) An educational pay supplement of two and one-half per        | 270 |
| cent of the employee's classification salary base may be applied | 271 |
| upon the achievement of a bachelor's degree plus twenty quarter  | 272 |
| hours of postgraduate work.                                      | 273 |
| (2) An educational pay supplement of an additional five          | 274 |
| per cent of the employee's classification salary base may be     | 275 |
| applied upon achievement of a master's degree.                   | 276 |
| (3) An educational pay supplement of an additional two and       | 277 |
| one-half per cent of the employee's classification salary base   | 278 |
| may be applied upon achievement of a master's degree plus thirty | 279 |
| quarter hours of postgraduate work.                              | 280 |
| (4) An educational pay supplement of five per cent of the        | 281 |
| employee's classification salary base may be applied when the    | 282 |
| employee is performing as a master teacher.                      | 283 |
| (5) An educational pay supplement of five per cent of the        | 284 |
| employee's classification salary base may be applied when the    | 285 |
| employee is performing as a special education teacher.           | 286 |

(6) Those employees in teaching supervisory, principal, 287  
assistant principal, or superintendent positions who are 288  
responsible for specific extracurricular activity programs shall 289  
receive overtime pay for those hours worked in excess of their 290  
normal schedule, at their straight time hourly rate up to a 291  
maximum of five per cent of their regular base salary in any 292  
calendar year. 293

(M) (1) A state agency, board, or commission may establish 294  
a supplementary compensation schedule for those licensed 295  
physicians employed by the agency, board, or commission in 296  
positions requiring a licensed physician. The supplementary 297  
compensation schedule, together with the compensation otherwise 298  
authorized by this chapter, shall provide for the total 299  
compensation for these employees to range appropriately, but not 300  
necessarily uniformly, for each classification title requiring a 301  
licensed physician, in accordance with a schedule approved by 302  
the state controlling board. The individual salary levels 303  
recommended for each such physician employed shall be approved 304  
by the director. Notwithstanding section 124.11 of the Revised 305  
Code, such personnel are in the unclassified civil service. 306

(2) The director of administrative services may approve 307  
supplementary compensation for the director of health, if the 308  
director is a licensed physician, in accordance with a 309  
supplementary compensation schedule approved under division (M) 310  
(1) of this section or in accordance with another supplementary 311  
compensation schedule the director of administrative services 312  
considers appropriate. The supplementary compensation shall not 313  
exceed twenty per cent of the director of health's base rate of 314  
pay. 315

(N) Notwithstanding sections 117.28, 117.30, 117.33, 316

117.36, 117.42, and 131.02 of the Revised Code, the state shall 317  
not institute any civil action to recover and shall not seek 318  
reimbursement for overpayments made in violation of division (E) 319  
of this section or division ~~(C)~~ (D) of section 9.44 of the 320  
Revised Code for the period starting after June 24, 1987, and 321  
ending on October 31, 1993. 322

(O) Employees of the office of the treasurer of state who 323  
are exempt from collective bargaining coverage may be granted a 324  
merit pay supplement of up to one and one-half per cent of their 325  
step rate. The rate at which this supplement is granted shall be 326  
based on performance standards established by the treasurer of 327  
state. Any supplements granted under this division shall be 328  
administered on an annual basis. 329

(P) Intermittent employees appointed under section 124.30 330  
of the Revised Code are not eligible for the pay supplements 331  
provided by this section. 332

**Sec. 4112.02.** It shall be an unlawful discriminatory 333  
practice: 334

(A) For any employer, because of the race, color, 335  
religion, sex, military status, national origin, disability, 336  
age, or ancestry of any person, to discharge without just cause, 337  
to refuse to hire, or otherwise to discriminate against that 338  
person with respect to hire, tenure, terms, conditions, or 339  
privileges of employment, or any matter directly or indirectly 340  
related to employment. 341

(B) For an employment agency or personnel placement 342  
service, because of race, color, religion, sex, military status, 343  
national origin, disability, age, or ancestry, to do any of the 344  
following: 345

(1) Refuse or fail to accept, register, classify properly, 346  
or refer for employment, or otherwise discriminate against any 347  
person; 348

(2) Comply with a request from an employer for referral of 349  
applicants for employment if the request directly or indirectly 350  
indicates that the employer fails to comply with the provisions 351  
of sections 4112.01 to 4112.07 of the Revised Code. 352

(C) For any labor organization to do any of the following: 353

(1) Limit or classify its membership on the basis of race, 354  
color, religion, sex, military status, national origin, 355  
disability, age, or ancestry; 356

(2) Discriminate against, limit the employment 357  
opportunities of, or otherwise adversely affect the employment 358  
status, wages, hours, or employment conditions of any person as 359  
an employee because of race, color, religion, sex, military 360  
status, national origin, disability, age, or ancestry. 361

(D) For any employer, labor organization, or joint labor- 362  
management committee controlling apprentice training programs to 363  
discriminate against any person because of race, color, 364  
religion, sex, military status, national origin, disability, or 365  
ancestry in admission to, or employment in, any program 366  
established to provide apprentice training. 367

(E) Except where based on a bona fide occupational 368  
qualification certified in advance by the commission, for any 369  
employer, employment agency, personnel placement service, or 370  
labor organization, prior to employment or admission to 371  
membership, to do any of the following: 372

(1) Elicit or attempt to elicit any information concerning 373  
the race, color, religion, sex, military status, national 374

origin, disability, age, or ancestry of an applicant for 375  
employment or membership; 376

(2) Make or keep a record of the race, color, religion, 377  
sex, military status, national origin, disability, age, or 378  
ancestry of any applicant for employment or membership; 379

(3) Use any form of application for employment, or 380  
personnel or membership blank, seeking to elicit information 381  
regarding race, color, religion, sex, military status, national 382  
origin, disability, age, or ancestry; but an employer holding a 383  
contract containing a nondiscrimination clause with the 384  
government of the United States, or any department or agency of 385  
that government, may require an employee or applicant for 386  
employment to furnish documentary proof of United States 387  
citizenship and may retain that proof in the employer's 388  
personnel records and may use photographic or fingerprint 389  
identification for security purposes; 390

(4) Print or publish or cause to be printed or published 391  
any notice or advertisement relating to employment or membership 392  
indicating any preference, limitation, specification, or 393  
discrimination, based upon race, color, religion, sex, military 394  
status, national origin, disability, age, or ancestry; 395

(5) Announce or follow a policy of denying or limiting, 396  
through a quota system or otherwise, employment or membership 397  
opportunities of any group because of the race, color, religion, 398  
sex, military status, national origin, disability, age, or 399  
ancestry of that group; 400

(6) Utilize in the recruitment or hiring of persons any 401  
employment agency, personnel placement service, training school 402  
or center, labor organization, or any other employee-referring 403

source known to discriminate against persons because of their 404  
race, color, religion, sex, military status, national origin, 405  
disability, age, or ancestry. 406

(F) For any person seeking employment to publish or cause 407  
to be published any advertisement that specifies or in any 408  
manner indicates that person's race, color, religion, sex, 409  
military status, national origin, disability, age, or ancestry, 410  
or expresses a limitation or preference as to the race, color, 411  
religion, sex, military status, national origin, disability, 412  
age, or ancestry of any prospective employer. 413

(G) For any proprietor or any employee, keeper, or manager 414  
of a place of public accommodation to deny to any person, except 415  
for reasons applicable alike to all persons regardless of race, 416  
color, religion, sex, military status, national origin, 417  
disability, age, or ancestry, the full enjoyment of the 418  
accommodations, advantages, facilities, or privileges of the 419  
place of public accommodation. 420

(H) Subject to section 4112.024 of the Revised Code, for 421  
any person to do any of the following: 422

(1) Refuse to sell, transfer, assign, rent, lease, 423  
sublease, or finance housing accommodations, refuse to negotiate 424  
for the sale or rental of housing accommodations, or otherwise 425  
deny or make unavailable housing accommodations because of race, 426  
color, religion, sex, military status, familial status, 427  
ancestry, disability, or national origin; 428

(2) Represent to any person that housing accommodations 429  
are not available for inspection, sale, or rental, when in fact 430  
they are available, because of race, color, religion, sex, 431  
military status, familial status, ancestry, disability, or 432

national origin; 433

(3) Discriminate against any person in the making or 434  
purchasing of loans or the provision of other financial 435  
assistance for the acquisition, construction, rehabilitation, 436  
repair, or maintenance of housing accommodations, or any person 437  
in the making or purchasing of loans or the provision of other 438  
financial assistance that is secured by residential real estate, 439  
because of race, color, religion, sex, military status, familial 440  
status, ancestry, disability, or national origin or because of 441  
the racial composition of the neighborhood in which the housing 442  
accommodations are located, provided that the person, whether an 443  
individual, corporation, or association of any type, lends money 444  
as one of the principal aspects or incident to the person's 445  
principal business and not only as a part of the purchase price 446  
of an owner-occupied residence the person is selling nor merely 447  
casually or occasionally to a relative or friend; 448

(4) Discriminate against any person in the terms or 449  
conditions of selling, transferring, assigning, renting, 450  
leasing, or subleasing any housing accommodations or in 451  
furnishing facilities, services, or privileges in connection 452  
with the ownership, occupancy, or use of any housing 453  
accommodations, including the sale of fire, extended coverage, 454  
or homeowners insurance, because of race, color, religion, sex, 455  
military status, familial status, ancestry, disability, or 456  
national origin or because of the racial composition of the 457  
neighborhood in which the housing accommodations are located; 458

(5) Discriminate against any person in the terms or 459  
conditions of any loan of money, whether or not secured by 460  
mortgage or otherwise, for the acquisition, construction, 461  
rehabilitation, repair, or maintenance of housing accommodations 462

because of race, color, religion, sex, military status, familial 463  
status, ancestry, disability, or national origin or because of 464  
the racial composition of the neighborhood in which the housing 465  
accommodations are located; 466

(6) Refuse to consider without prejudice the combined 467  
income of both husband and wife for the purpose of extending 468  
mortgage credit to a married couple or either member of a 469  
married couple; 470

(7) Print, publish, or circulate any statement or 471  
advertisement, or make or cause to be made any statement or 472  
advertisement, relating to the sale, transfer, assignment, 473  
rental, lease, sublease, or acquisition of any housing 474  
accommodations, or relating to the loan of money, whether or not 475  
secured by mortgage or otherwise, for the acquisition, 476  
construction, rehabilitation, repair, or maintenance of housing 477  
accommodations, that indicates any preference, limitation, 478  
specification, or discrimination based upon race, color, 479  
religion, sex, military status, familial status, ancestry, 480  
disability, or national origin, or an intention to make any such 481  
preference, limitation, specification, or discrimination; 482

(8) Except as otherwise provided in division (H) (8) or 483  
(17) of this section, make any inquiry, elicit any information, 484  
make or keep any record, or use any form of application 485  
containing questions or entries concerning race, color, 486  
religion, sex, military status, familial status, ancestry, 487  
disability, or national origin in connection with the sale or 488  
lease of any housing accommodations or the loan of any money, 489  
whether or not secured by mortgage or otherwise, for the 490  
acquisition, construction, rehabilitation, repair, or 491  
maintenance of housing accommodations. Any person may make 492

inquiries, and make and keep records, concerning race, color, 493  
religion, sex, military status, familial status, ancestry, 494  
disability, or national origin for the purpose of monitoring 495  
compliance with this chapter. 496

(9) Include in any transfer, rental, or lease of housing 497  
accommodations any restrictive covenant, or honor or exercise, 498  
or attempt to honor or exercise, any restrictive covenant; 499

(10) Induce or solicit, or attempt to induce or solicit, a 500  
housing accommodations listing, sale, or transaction by 501  
representing that a change has occurred or may occur with 502  
respect to the racial, religious, sexual, military status, 503  
familial status, or ethnic composition of the block, 504  
neighborhood, or other area in which the housing accommodations 505  
are located, or induce or solicit, or attempt to induce or 506  
solicit, a housing accommodations listing, sale, or transaction 507  
by representing that the presence or anticipated presence of 508  
persons of any race, color, religion, sex, military status, 509  
familial status, ancestry, disability, or national origin, in 510  
the block, neighborhood, or other area will or may have results 511  
including, but not limited to, the following: 512

(a) The lowering of property values; 513

(b) A change in the racial, religious, sexual, military 514  
status, familial status, or ethnic composition of the block, 515  
neighborhood, or other area; 516

(c) An increase in criminal or antisocial behavior in the 517  
block, neighborhood, or other area; 518

(d) A decline in the quality of the schools serving the 519  
block, neighborhood, or other area. 520

(11) Deny any person access to or membership or 521

participation in any multiple-listing service, real estate 522  
brokers' organization, or other service, organization, or 523  
facility relating to the business of selling or renting housing 524  
accommodations, or discriminate against any person in the terms 525  
or conditions of that access, membership, or participation, on 526  
account of race, color, religion, sex, military status, familial 527  
status, national origin, disability, or ancestry; 528

(12) Coerce, intimidate, threaten, or interfere with any 529  
person in the exercise or enjoyment of, or on account of that 530  
person's having exercised or enjoyed or having aided or 531  
encouraged any other person in the exercise or enjoyment of, any 532  
right granted or protected by division (H) of this section; 533

(13) Discourage or attempt to discourage the purchase by a 534  
prospective purchaser of housing accommodations, by representing 535  
that any block, neighborhood, or other area has undergone or 536  
might undergo a change with respect to its religious, racial, 537  
sexual, military status, familial status, or ethnic composition; 538

(14) Refuse to sell, transfer, assign, rent, lease, 539  
sublease, or finance, or otherwise deny or withhold, a burial 540  
lot from any person because of the race, color, sex, military 541  
status, familial status, age, ancestry, disability, or national 542  
origin of any prospective owner or user of the lot; 543

(15) Discriminate in the sale or rental of, or otherwise 544  
make unavailable or deny, housing accommodations to any buyer or 545  
renter because of a disability of any of the following: 546

(a) The buyer or renter; 547

(b) A person residing in or intending to reside in the 548  
housing accommodations after they are sold, rented, or made 549  
available; 550

(c) Any individual associated with the person described in 551  
division (H) (15) (b) of this section. 552

(16) Discriminate in the terms, conditions, or privileges 553  
of the sale or rental of housing accommodations to any person or 554  
in the provision of services or facilities to any person in 555  
connection with the housing accommodations because of a 556  
disability of any of the following: 557

(a) That person; 558

(b) A person residing in or intending to reside in the 559  
housing accommodations after they are sold, rented, or made 560  
available; 561

(c) Any individual associated with the person described in 562  
division (H) (16) (b) of this section. 563

(17) Except as otherwise provided in division (H) (17) of 564  
this section, make an inquiry to determine whether an applicant 565  
for the sale or rental of housing accommodations, a person 566  
residing in or intending to reside in the housing accommodations 567  
after they are sold, rented, or made available, or any 568  
individual associated with that person has a disability, or make 569  
an inquiry to determine the nature or severity of a disability 570  
of the applicant or such a person or individual. The following 571  
inquiries may be made of all applicants for the sale or rental 572  
of housing accommodations, regardless of whether they have 573  
disabilities: 574

(a) An inquiry into an applicant's ability to meet the 575  
requirements of ownership or tenancy; 576

(b) An inquiry to determine whether an applicant is 577  
qualified for housing accommodations available only to persons 578  
with disabilities or persons with a particular type of 579

disability; 580

(c) An inquiry to determine whether an applicant is 581  
qualified for a priority available to persons with disabilities 582  
or persons with a particular type of disability; 583

(d) An inquiry to determine whether an applicant currently 584  
uses a controlled substance in violation of section 2925.11 of 585  
the Revised Code or a substantively comparable municipal 586  
ordinance; 587

(e) An inquiry to determine whether an applicant at any 588  
time has been convicted of or pleaded guilty to any offense, an 589  
element of which is the illegal sale, offer to sell, 590  
cultivation, manufacture, other production, shipment, 591  
transportation, delivery, or other distribution of a controlled 592  
substance. 593

(18) (a) Refuse to permit, at the expense of a person with 594  
a disability, reasonable modifications of existing housing 595  
accommodations that are occupied or to be occupied by the person 596  
with a disability, if the modifications may be necessary to 597  
afford the person with a disability full enjoyment of the 598  
housing accommodations. This division does not preclude a 599  
landlord of housing accommodations that are rented or to be 600  
rented to a disabled tenant from conditioning permission for a 601  
proposed modification upon the disabled tenant's doing one or 602  
more of the following: 603

(i) Providing a reasonable description of the proposed 604  
modification and reasonable assurances that the proposed 605  
modification will be made in a workerlike manner and that any 606  
required building permits will be obtained prior to the 607  
commencement of the proposed modification; 608

(ii) Agreeing to restore at the end of the tenancy the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if it is reasonable for the landlord to condition permission for the proposed modification upon the agreement;

(iii) Paying into an interest-bearing escrow account that is in the landlord's name, over a reasonable period of time, a reasonable amount of money not to exceed the projected costs at the end of the tenancy of the restoration of the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if the landlord finds the account reasonably necessary to ensure the availability of funds for the restoration work. The interest earned in connection with an escrow account described in this division shall accrue to the benefit of the disabled tenant who makes payments into the account.

(b) A landlord shall not condition permission for a proposed modification upon a disabled tenant's payment of a security deposit that exceeds the customarily required security deposit of all tenants of the particular housing accommodations.

(19) Refuse to make reasonable accommodations in rules, policies, practices, or services when necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including associated public and common use areas;

(20) Fail to comply with the standards and rules adopted under division (A) of section 3781.111 of the Revised Code;

(21) Discriminate against any person in the selling,

brokering, or appraising of real property because of race, 638  
color, religion, sex, military status, familial status, 639  
ancestry, disability, or national origin; 640

(22) Fail to design and construct covered multifamily 641  
dwellings for first occupancy on or after June 30, 1992, in 642  
accordance with the following conditions: 643

(a) The dwellings shall have at least one building 644  
entrance on an accessible route, unless it is impractical to do 645  
so because of the terrain or unusual characteristics of the 646  
site. 647

(b) With respect to dwellings that have a building 648  
entrance on an accessible route, all of the following apply: 649

(i) The public use areas and common use areas of the 650  
dwellings shall be readily accessible to and usable by persons 651  
with a disability. 652

(ii) All the doors designed to allow passage into and 653  
within all premises shall be sufficiently wide to allow passage 654  
by persons with a disability who are in wheelchairs. 655

(iii) All premises within covered multifamily dwelling 656  
units shall contain an accessible route into and through the 657  
dwelling; all light switches, electrical outlets, thermostats, 658  
and other environmental controls within such units shall be in 659  
accessible locations; the bathroom walls within such units shall 660  
contain reinforcements to allow later installation of grab bars; 661  
and the kitchens and bathrooms within such units shall be 662  
designed and constructed in a manner that enables an individual 663  
in a wheelchair to maneuver about such rooms. 664

For purposes of division (H) (22) of this section, "covered 665  
multifamily dwellings" means buildings consisting of four or 666

more units if such buildings have one or more elevators and 667  
ground floor units in other buildings consisting of four or more 668  
units. 669

(I) For any person to discriminate in any manner against 670  
any other person because that person has opposed any unlawful 671  
discriminatory practice defined in this section or because that 672  
person has made a charge, testified, assisted, or participated 673  
in any manner in any investigation, proceeding, or hearing under 674  
sections 4112.01 to 4112.07 of the Revised Code. 675

(J) For any person to aid, abet, incite, compel, or coerce 676  
the doing of any act declared by this section to be an unlawful 677  
discriminatory practice, to obstruct or prevent any person from 678  
complying with this chapter or any order issued under it, or to 679  
attempt directly or indirectly to commit any act declared by 680  
this section to be an unlawful discriminatory practice. 681

(K) Nothing in divisions (A) to (E) of this section shall 682  
be construed to require a person with a disability to be 683  
employed or trained under circumstances that would significantly 684  
increase the occupational hazards affecting either the person 685  
with a disability, other employees, the general public, or the 686  
facilities in which the work is to be performed, or to require 687  
the employment or training of a person with a disability in a 688  
job that requires the person with a disability routinely to 689  
undertake any task, the performance of which is substantially 690  
and inherently impaired by the person's disability. 691

(L) An aggrieved individual may enforce the individual's 692  
rights relative to discrimination on the basis of age as 693  
provided for in this section by instituting a civil action, 694  
within one hundred eighty days after the alleged unlawful 695  
discriminatory practice occurred, in any court with jurisdiction 696

for any legal or equitable relief that will effectuate the 697  
individual's rights. 698

A person who files a civil action under this division is 699  
barred, with respect to the practices complained of, from 700  
instituting a civil action under section 4112.14 of the Revised 701  
Code and from filing a charge with the commission under section 702  
4112.05 of the Revised Code. 703

(M) With regard to age, it shall not be an unlawful 704  
discriminatory practice and it shall not constitute a violation 705  
of division (A) of section 4112.14 of the Revised Code for any 706  
employer, employment agency, joint labor-management committee 707  
controlling apprenticeship training programs, or labor 708  
organization to do any of the following: 709

(1) Establish bona fide employment qualifications 710  
reasonably related to the particular business or occupation that 711  
may include standards for skill, aptitude, physical capability, 712  
intelligence, education, maturation, and experience; 713

(2) Observe the terms of a bona fide seniority system or 714  
any bona fide employee benefit plan, including, but not limited 715  
to, a retirement, pension, or insurance plan, that is not a 716  
subterfuge to evade the purposes of this section. However, no 717  
such employee benefit plan shall excuse the failure to hire any 718  
individual, and no such seniority system or employee benefit 719  
plan shall require or permit the involuntary retirement of any 720  
individual, because of the individual's age except as provided 721  
for in the "Age Discrimination in Employment Act Amendment of 722  
1978," 92 Stat. 189, 29 U.S.C.A. 623, as amended by the "Age 723  
Discrimination in Employment Act Amendments of 1986," 100 Stat. 724  
3342, 29 U.S.C.A. 623, as amended. 725

(3) Retire an employee who has attained sixty-five years 726  
of age who, for the two-year period immediately before 727  
retirement, is employed in a bona fide executive or a high 728  
policymaking position, if the employee is entitled to an 729  
immediate nonforfeitable annual retirement benefit from a 730  
pension, profit-sharing, savings, or deferred compensation plan, 731  
or any combination of those plans, of the employer of the 732  
employee, which equals, in the aggregate, at least forty-four 733  
thousand dollars, in accordance with the conditions of the "Age 734  
Discrimination in Employment Act Amendment of 1978," 92 Stat. 735  
189, 29 U.S.C.A. 631, as amended by the "Age Discrimination in 736  
Employment Act Amendments of 1986," 100 Stat. 3342, 29 U.S.C.A. 737  
631, as amended; 738

(4) Observe the terms of any bona fide apprenticeship 739  
program if the program is registered with the Ohio 740  
apprenticeship council pursuant to sections 4139.01 to 4139.06 741  
of the Revised Code and is approved by the federal committee on 742  
apprenticeship of the United States department of labor. 743

(N) Nothing in this chapter prohibiting age discrimination 744  
and nothing in division (A) of section 4112.14 of the Revised 745  
Code shall be construed to prohibit the following: 746

(1) The designation of uniform age the attainment of which 747  
is necessary for public employees to receive pension or other 748  
retirement benefits pursuant to Chapter 145., 742., 3307., 749  
3309., or 5505. of the Revised Code; 750

(2) The mandatory retirement of uniformed patrol officers 751  
of the state highway patrol as provided in section 5505.16 of 752  
the Revised Code; 753

(3) The maximum age requirements for appointment as a 754

patrol officer in the state highway patrol established by 755  
section 5503.01 of the Revised Code; 756

(4) The maximum age requirements established for original 757  
appointment to a police department or fire department in 758  
sections 124.41 and 124.42 of the Revised Code; 759

(5) Any maximum age not in conflict with federal law that 760  
may be established by a municipal charter, municipal ordinance, 761  
or resolution of a board of township trustees for original 762  
appointment as a police officer or firefighter; 763

(6) Any mandatory retirement provision not in conflict 764  
with federal law of a municipal charter, municipal ordinance, or 765  
resolution of a board of township trustees pertaining to police 766  
officers and firefighters; 767

(7) Until January 1, 1994, the mandatory retirement of any 768  
employee who has attained seventy years of age and who is 769  
serving under a contract of unlimited tenure, or similar 770  
arrangement providing for unlimited tenure, at an institution of 771  
higher education as defined in the "Education Amendments of 772  
1980," 94 Stat. 1503, 20 U.S.C.A. 1141(a). 773

(O) (1) (a) Except as provided in division (O) (1) (b) of this 774  
section, for purposes of divisions (A) to (E) of this section, a 775  
disability does not include any physiological disorder or 776  
condition, mental or psychological disorder, or disease or 777  
condition caused by an illegal use of any controlled substance 778  
by an employee, applicant, or other person, if an employer, 779  
employment agency, personnel placement service, labor 780  
organization, or joint labor-management committee acts on the 781  
basis of that illegal use. 782

(b) Division (O) (1) (a) of this section does not apply to 783

an employee, applicant, or other person who satisfies any of the 784  
following: 785

(i) The employee, applicant, or other person has 786  
successfully completed a supervised drug rehabilitation program 787  
and no longer is engaging in the illegal use of any controlled 788  
substance, or the employee, applicant, or other person otherwise 789  
successfully has been rehabilitated and no longer is engaging in 790  
that illegal use. 791

(ii) The employee, applicant, or other person is 792  
participating in a supervised drug rehabilitation program and no 793  
longer is engaging in the illegal use of any controlled 794  
substance. 795

(iii) The employee, applicant, or other person is 796  
erroneously regarded as engaging in the illegal use of any 797  
controlled substance, but the employee, applicant, or other 798  
person is not engaging in that illegal use. 799

(2) Divisions (A) to (E) of this section do not prohibit 800  
an employer, employment agency, personnel placement service, 801  
labor organization, or joint labor-management committee from 802  
doing any of the following: 803

(a) Adopting or administering reasonable policies or 804  
procedures, including, but not limited to, testing for the 805  
illegal use of any controlled substance, that are designed to 806  
ensure that an individual described in division (O) (1) (b) (i) or 807  
(ii) of this section no longer is engaging in the illegal use of 808  
any controlled substance; 809

(b) Prohibiting the illegal use of controlled substances 810  
and the use of alcohol at the workplace by all employees; 811

(c) Requiring that employees not be under the influence of 812

alcohol or not be engaged in the illegal use of any controlled 813  
substance at the workplace; 814

(d) Requiring that employees behave in conformance with 815  
the requirements established under "The Drug-Free Workplace Act 816  
of 1988," 102 Stat. 4304, 41 U.S.C.A. 701, as amended; 817

(e) Holding an employee who engages in the illegal use of 818  
any controlled substance or who is an alcoholic to the same 819  
qualification standards for employment or job performance, and 820  
the same behavior, to which the employer, employment agency, 821  
personnel placement service, labor organization, or joint labor- 822  
management committee holds other employees, even if any 823  
unsatisfactory performance or behavior is related to an 824  
employee's illegal use of a controlled substance or alcoholism; 825

(f) Exercising other authority recognized in the 826  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 827  
U.S.C.A. 12101, as amended, including, but not limited to, 828  
requiring employees to comply with any applicable federal 829  
standards. 830

(3) For purposes of this chapter, a test to determine the 831  
illegal use of any controlled substance does not include a 832  
medical examination. 833

(4) Division (O) of this section does not encourage, 834  
prohibit, or authorize, and shall not be construed as 835  
encouraging, prohibiting, or authorizing, the conduct of testing 836  
for the illegal use of any controlled substance by employees, 837  
applicants, or other persons, or the making of employment 838  
decisions based on the results of that type of testing. 839

(P) This section does not apply to a religious 840  
corporation, association, educational institution, or society 841

with respect to the employment of an individual of a particular 842  
religion to perform work connected with the carrying on by that 843  
religious corporation, association, educational institution, or 844  
society of its activities. 845

(Q) The unlawful discriminatory practices defined in this 846  
section do not make it unlawful for a person or an appointing 847  
authority administering an examination under section 124.23 of 848  
the Revised Code to obtain information about an applicant's or 849  
employee's military status for the purpose of determining either 850  
of the following purposes: 851

(1) To determine if the an applicant is eligible for the 852  
additional credit that is available under section 124.23 of the 853  
Revised Code when administering an examination under that 854  
section; 855

(2) To determine if an employee is eligible to have the 856  
employee's prior service as a member of the uniformed services 857  
counted as service with the state to compute vacation leave 858  
under section 9.44 of the Revised Code or determine the salary 859  
adjustment under section 124.181 of the Revised Code. 860

**Sec. 4117.10.** (A) An agreement between a public employer 861  
and an exclusive representative entered into pursuant to this 862  
chapter governs the wages, hours, and terms and conditions of 863  
public employment covered by the agreement. If the agreement 864  
provides for a final and binding arbitration of grievances, 865  
public employers, employees, and employee organizations are 866  
subject solely to that grievance procedure and the state 867  
personnel board of review or civil service commissions have no 868  
jurisdiction to receive and determine any appeals relating to 869  
matters that were the subject of a final and binding grievance 870  
procedure. Where no agreement exists or where an agreement makes 871

no specification about a matter, the public employer and public 872  
employees are subject to all applicable state or local laws or 873  
ordinances pertaining to the wages, hours, and terms and 874  
conditions of employment for public employees. All of the 875  
following prevail over conflicting provisions of agreements 876  
between employee organizations and public employers: 877

(1) Laws pertaining to any of the following subjects: 878

(a) Civil rights; 879

(b) Affirmative action; 880

(c) Unemployment compensation; 881

(d) Workers' compensation; 882

(e) The retirement of public employees; 883

(f) Residency requirements; 884

(g) The minimum educational requirements contained in the 885  
Revised Code pertaining to public education including the 886  
requirement of a certificate by the fiscal officer of a school 887  
district pursuant to section 5705.41 of the Revised Code; 888

(h) The provisions of division (A) of section 124.34 of 889  
the Revised Code governing the disciplining of officers and 890  
employees who have been convicted of a felony; 891

(i) The minimum standards promulgated by the state board 892  
of education pursuant to division (D) of section 3301.07 of the 893  
Revised Code. 894

(2) The law pertaining to the leave of absence and 895  
compensation provided under section 5923.05 of the Revised Code, 896  
if the terms of the agreement contain benefits which are less 897  
than those contained in that section or the agreement contains 898

no such terms and the public authority is the state or any 899  
agency, authority, commission, or board of the state or if the 900  
public authority is another entity listed in division (B) of 901  
section 4117.01 of the Revised Code that elects to provide leave 902  
of absence and compensation as provided in section 5923.05 of 903  
the Revised Code; 904

(3) The law pertaining to the leave established under 905  
section 5906.02 of the Revised Code, if the terms of the 906  
agreement contain benefits that are less than those contained in 907  
section 5906.02 of the Revised Code; 908

(4) The law pertaining to excess benefits prohibited under 909  
section 3345.311 of the Revised Code with respect to an 910  
agreement between an employee organization and a public employer 911  
entered into on or after ~~the effective date of this amendment~~ 912  
September 29, 2015; 913

(5) The law pertaining to computing vacation leave for a 914  
state employee for prior service as a member of the uniformed 915  
services under section 9.44 of the Revised Code, if the terms of 916  
the agreement contain benefits that are less than those 917  
contained in section 9.44 of the Revised Code; 918

(6) The law pertaining to the salary adjustment for a 919  
state employee for prior service as a member of the uniformed 920  
services under section 124.181 of the Revised Code, if the terms 921  
of the agreement contain benefits that are less than those 922  
contained in section 124.181 of the Revised Code. 923

Except for sections 306.08, 306.12, 306.35, and 4981.22 of 924  
the Revised Code and arrangements entered into thereunder, and 925  
section 4981.21 of the Revised Code as necessary to comply with 926  
section 13(c) of the "Urban Mass Transportation Act of 1964," 87 927

Stat. 295, 49 U.S.C.A. 1609(c), as amended, and arrangements 928  
entered into thereunder, this chapter prevails over any and all 929  
other conflicting laws, resolutions, provisions, present or 930  
future, except as otherwise specified in this chapter or as 931  
otherwise specified by the general assembly. Nothing in this 932  
section prohibits or shall be construed to invalidate the 933  
provisions of an agreement establishing supplemental workers' 934  
compensation or unemployment compensation benefits or exceeding 935  
minimum requirements contained in the Revised Code pertaining to 936  
public education or the minimum standards promulgated by the 937  
state board of education pursuant to division (D) of section 938  
3301.07 of the Revised Code. 939

(B) The public employer shall submit a request for funds 940  
necessary to implement an agreement and for approval of any 941  
other matter requiring the approval of the appropriate 942  
legislative body to the legislative body within fourteen days of 943  
the date on which the parties finalize the agreement, unless 944  
otherwise specified, but if the appropriate legislative body is 945  
not in session at the time, then within fourteen days after it 946  
convenes. The legislative body must approve or reject the 947  
submission as a whole, and the submission is deemed approved if 948  
the legislative body fails to act within thirty days after the 949  
public employer submits the agreement. The parties may specify 950  
that those provisions of the agreement not requiring action by a 951  
legislative body are effective and operative in accordance with 952  
the terms of the agreement, provided there has been compliance 953  
with division (C) of this section. If the legislative body 954  
rejects the submission of the public employer, either party may 955  
reopen all or part of the entire agreement. 956

As used in this section, "legislative body" includes the 957  
governing board of a municipal corporation, school district, 958

college or university, village, township, or board of county 959  
commissioners or any other body that has authority to approve 960  
the budget of their public jurisdiction and, with regard to the 961  
state, "legislative body" means the controlling board. 962

(C) The chief executive officer, or the chief executive 963  
officer's representative, of each municipal corporation, the 964  
designated representative of the board of education of each 965  
school district, college or university, or any other body that 966  
has authority to approve the budget of their public 967  
jurisdiction, the designated representative of the board of 968  
county commissioners and of each elected officeholder of the 969  
county whose employees are covered by the collective 970  
negotiations, and the designated representative of the village 971  
or the board of township trustees of each township is 972  
responsible for negotiations in the collective bargaining 973  
process; except that the legislative body may accept or reject a 974  
proposed collective bargaining agreement. When the matters about 975  
which there is agreement are reduced to writing and approved by 976  
the employee organization and the legislative body, the 977  
agreement is binding upon the legislative body, the employer, 978  
and the employee organization and employees covered by the 979  
agreement. 980

(D) There is hereby established an office of collective 981  
bargaining in the department of administrative services for the 982  
purpose of negotiating with and entering into written agreements 983  
between state agencies, departments, boards, and commissions and 984  
the exclusive representative on matters of wages, hours, terms 985  
and other conditions of employment and the continuation, 986  
modification, or deletion of an existing provision of a 987  
collective bargaining agreement. Nothing in any provision of law 988  
to the contrary shall be interpreted as excluding the bureau of 989

workers' compensation and the industrial commission from the 990  
preceding sentence. This office shall not negotiate on behalf of 991  
other statewide elected officials or boards of trustees of state 992  
institutions of higher education who shall be considered as 993  
separate public employers for the purposes of this chapter; 994  
however, the office may negotiate on behalf of these officials 995  
or trustees where authorized by the officials or trustees. The 996  
staff of the office of collective bargaining are in the 997  
unclassified service. The director of administrative services 998  
shall fix the compensation of the staff. 999

The office of collective bargaining shall: 1000

(1) Assist the director in formulating management's 1001  
philosophy for public collective bargaining as well as planning 1002  
bargaining strategies; 1003

(2) Conduct negotiations with the exclusive 1004  
representatives of each employee organization; 1005

(3) Coordinate the state's resources in all mediation, 1006  
fact-finding, and arbitration cases as well as in all labor 1007  
disputes; 1008

(4) Conduct systematic reviews of collective bargaining 1009  
agreements for the purpose of contract negotiations; 1010

(5) Coordinate the systematic compilation of data by all 1011  
agencies that is required for negotiating purposes; 1012

(6) Prepare and submit an annual report and other reports 1013  
as requested to the governor and the general assembly on the 1014  
implementation of this chapter and its impact upon state 1015  
government. 1016

**Section 2.** That existing sections 9.44, 124.181, 4112.02, 1017

and 4117.10 of the Revised Code are hereby repealed. 1018

**Section 3.** An individual who is employed in the service of 1019  
the state, as defined in section 124.01 of the Revised Code, on 1020  
the effective date of this section may have the individual's 1021  
prior service as a member of the uniformed services counted as 1022  
service with the state for purposes of sections 9.44 and 124.181 1023  
of the Revised Code, as amended by this act. To have the service 1024  
counted as service with the state, an individual shall submit 1025  
proof of the individual's prior military service to the Director 1026  
of Administrative Services not later than ninety days after the 1027  
effective date of this section. 1028