



Ohio Administrative Code

Rule 123:1-46-03 Experimental leave and benefits program.

Effective: December 1, 2006

(A) The director may establish for some or all employees of an agency, department, board or commission paid by warrant of the director of budget and management the allocation of vacation leave, sick leave, disability leave, personal leave, life insurance or medical insurance benefits that differ from these benefits as granted by sections 124.13, 124.134, 124.382, 124.385, 124.386, 124.81 and 124.82 of the Revised Code. The director may establish different programs for employees of various agencies, departments, boards or commissions paid by warrant of the auditor of state.

(B) An agency that desires to establish an experimental leave and benefits program shall submit a written proposal to the director for review. The proposal shall include, but not be limited to the following:

- (1) Statement of the reason, purpose or need for establishing such a program;
- (2) Statement of the benefits or advantages to be derived from implementing such a program;
- (3) The anticipated costs or savings as a result of the establishment of the program to include certification by the office of budget and management that funds are available if appropriate for the current biennium. Additionally, the agency must, if appropriate, indicate in writing that it will seek funding for the continuation of a program in a subsequent biennium;
- (4) The number of employees affected by the program;
- (5) The transition period and notice procedure to affected employees; and
- (6) The duration of the program.

(C) The department of administrative services shall review all agency proposals to determine if these proposals meet the following criteria: (1) the program is fiscally responsible. The office of budget



and management will be consulted to assist in making this determination, (2) the program establishes leaves or benefits that differ in, nature, quality, and amount provided by law under paragraph (A) of this rule, (3) the program is representative of trends in benefits administration, (4) program transition period or process will be established, including reasonable notice to affected employees and (5) the duration of the program does not exceed four years.

(D) If an agency proposal meets all of the criteria listed in paragraph (c) of this rule, that proposal shall be submitted by the department of administrative services in rule form to the joint committee on agency rule review in accordance with Chapter 119. of the Revised Code. The department of administrative services shall notify an agency of the disposition of a rule submitted to the joint committee on agency rule review.

(E) Agencies where an experimental program has been approved by the joint committee on agency rule review must maintain documentation as prescribed by the director of administrative services and provide the director with an annual report as prescribed. At the conclusion of the experimental program, each agency must submit an evaluation report to the director.

(F) No experimental program shall reduce the number of hours of vacation, sick or personal leave which an employee has accrued as of the effective date of the experimental program.