



## Ohio Administrative Code

### Rule 123:1-46-06 Employee exchange program.

Effective: May 29, 2026

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Pursuant to section 124.389 of the Revised Code, the employee exchange program has been created to facilitate the temporary assignment of employees who are exempt from collective bargaining and paid by warrant of the director of budget and management to another state agency, county office, political subdivision, or an outside governmental or non-governmental organization for the purpose of furthering the goals and objectives of the participating parties.

(A) Assignments made through this program may be for the purpose of:

- (1) Providing program and developmental experience that will enhance employee performance;
- (2) Pursuing innovative ideas to learn new approaches to governmental issues;
- (3) Assisting in the use of new technologies;
- (4) Involving as many participants as needed in the development of governmental policies and procedures; or
- (5) Other purposes mutually agreed upon by all parties involved.

(B) Eligibility. A full-time permanent or part-time permanent employee who is paid directly by warrant of the director of budget and management who has successfully completed any initial or promotional probationary period is eligible to participate in this program. This program will be administered on a strictly voluntary basis. Employees who participate in an exchange remain an employee of their original agency.

(C) Length of assignment. Employee exchange assignments will be for a period not to exceed two years and may be administered on an intermittent, part-time, or full-time schedule as agreed to by all parties involved.

(D) Employee exchange agreement. An employee exchange will be implemented by written agreement that is signed by all parties involved, including the employee, the employee's agency, and the organization to which the employee will be assigned. The specific contents of the agreement may vary, but will contain, at a minimum, the following:

- (1) The objectives of the assignment and a description indicating how the objectives are to be achieved;



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- (2) Name, address, classification title, civil service status, and salary information that includes all applicable pay supplements of the participating employee(s);
  - (3) A detailed description of the employee exchange assignment to include anticipated length, location, and work schedule;
  - (4) A stipulation that significant changes in an employee's responsibilities or the nature of the assignment may occur only with the consent of all parties involved and will not affect the employee's base rate of pay;
  - (5) Any changes to an employee's pay or benefits that may occur, including a different holiday schedule and any pay supplements for which the employee would or would not be eligible during the assignment;
  - (6) A statement affirming that the employee exchange assignment complies with all applicable ethics laws, rules, policies, and standards;
  - (7) A provision that permits termination of the assignment by any party by providing a minimum of seven days advance notice to all parties involved, or such lesser time as the parties may otherwise agree.
- (E) Reimbursement. An employee exchange agreement will also include a detailed reimbursement method when reimbursement is compelled by the employee's original agency. Reimbursements will be made in accordance with the procedures of the office of budget and management.
- (F) The participating parties will ensure compliance with the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 201, et. seq., and specifically section 207(p).