



Ohio Administrative Code Rule 5101:1-3-12.6 Community service.

Effective: November 1, 2020

(A) Which section of the Revised Code applies to community service?

(1) Section 5107.05 of the Revised Code authorizes the director of job and family services to adopt rules as necessary to comply with Title IV-A, Title IV-D, federal regulations, state law, and the state plan.

(2) The county department of job and family services will administer the work activity programs in accordance with requirements contained in this rule and not in accordance with sections 5107.40, 5107.541 and 5107.60 of the Revised Code.

(B) What is community service?

Community service means structured programs and embedded activities in which Ohio works first (OWF) work eligible individuals perform work for the direct benefit of the community under the direction of public or nonprofit organizations, and are also designed to improve the employability of individuals not otherwise able to obtain unsubsidized full-time employment.

(C) What activities meet the definition of community service?

(1) Community service programs shall be limited to projects that serve a useful community purpose in fields such as:

(a) Health;

(b) Social service;

(c) Environmental protection;



(d) Education;

(e) Urban or rural development;

(f) Welfare;

(g) Recreation;

(h) Public facilities;

(i) Public safety; and

(j) Child care.

(2) The following activities do not meet the definition of community service:

(a) Substance abuse treatment programs;

(b) Mental health and family violence counseling;

(c) Life skills classes;

(d) Parenting classes;

(e) Job readiness instruction; and

(f) Caring for a disabled household member.

(3) A county agency shall take into account to the extent possible, the prior training, experience and skills of an assistance group member in making an appropriate community service assignment.

(D) What educational activities meet the definition of community service?



(1) A county agency may contract with the chief administrator of a nonpublic school or with any school district board of education that has adopted a resolution under section 3319.089 of the Revised Code.

(2) A work eligible individual who has a minor child enrolled in a nonpublic school or a public school in the district may be assigned under the community service program to volunteer or work for compensation at the school in which the child is enrolled.

(3) Unless it is not possible or practical, a contract is to provide for a work eligible individual to volunteer or work at school as a classroom aide. If that is impossible or impractical, the contract may provide for the work eligible individual to volunteer to work in another position at the school.

(4) A contract may provide for the nonpublic school or board of education to receive funding to pay for the coordination, training, and supervision of work eligible individuals who are volunteering or working in schools.

(5) Notwithstanding section 3319.088 of the Revised Code, a work eligible individual volunteering or working as a classroom aide under this rule is not required to obtain an educational aide permit or paraprofessional license. The work eligible individual is not to be considered an employee of a political subdivision for purposes of Chapter 2744. of the Revised Code and is not entitled to any immunity or defense available under that chapter, the common law of this state, or section 9.86 of the Revised Code.

(E) Are community service activities subject to the Fair Labor Standards Act (05/2007) (FLSA)?

Hours assigned to community service shall be in compliance with the FLSA requirements set forth in paragraph (J) of rule 5101:1-3-12 of the Administrative Code.

(F) Who is responsible for workers compensation premiums?

A private or government entity with which a work eligible individual is placed for community service activities shall pay premiums to the bureau of workers compensation on account of the work eligible individual unless a county agency pays the premiums for an entity.