

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 123:1-32-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Availability and charge of sick leave, vacation leave, and personal leave and compensation for sick leave of employees paid by warrant of the director of budget and management.

**Agency Name:** Department of Administrative Services

**Division:** Division of Human Resources

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#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 1/15/2020
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 292 - 132  
- Gary Scherer
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 124.09
5. What statute(s) does the rule implement or amplify? 124.134, 124.386, 124.382
6. What are the reasons for proposing the rule?

Mandatory rule review and removing language in order to bring the administrative code in accord with changes recently made to the revised code.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

Covers the availability, use of, and compensation associated with sick leave, vacation leave, and personal leave for employees paid by warrant of the Director of the Office of Budget and Management. The proposed amendment removes out-of-date language regarding previous probationary limitations which used to exist on vacation leave usage. These limitations were removed via a legislative change to the revised code.

8. **Does the rule incorporate material by reference?** No
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

With the creation of subsection (C)(2)(c), we needed to add it to the list of exceptions for when people will not be paid at a rate equal to seventy percent of the employee's base rate of pay for usage of an employee's second week of sick leave in a twelve month period. This list of exceptions is listed in (C)(2) and had only listed (C)(2)(a) and (C)(2)(b) before.

*03/12/2020 To correct format of uploaded file.*

*03/12/2020 Section (C)(2)(c)(i) and (ii) provides two new exceptions for the requirement that employees are paid at 70% of the employee's base rate of pay for usage of an employee's second week of sick leave in a twelve month period. The exceptions are for employees, or employees who are caring for immediate family members, who have been exposed to a contagious disease that has been declared a public health emergency or who have been potentially exposed to a contagious disease for which quarantine has been recommended by the Center for Disease Control.*

## **II. Fiscal Analysis**

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0.00

Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

### III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? No

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No