



**State Representative Derek Merrin  
District 47**

**House Bill 298 – Sponsor Testimony  
State and Local Government Committee  
December 12, 2017**

---

Chairman Anielski, Vice-Chairman Hambley, Ranking Member Holmes, and members of the State and Local Government Committee thank you for the opportunity to present testimony on House Bill 298. I am excited to testify on a bill that will save taxpayer money and strengthen local governments. The legislation would reduce the number of state-mandated sick days for local government employees from 15 days to 10 days. Under House Bill 298, the overly generous mandate of sick days provided to local government employees would align with state employees.

All state employees receive 10 sick days per year, while many local government employees receive an excessive 15 sick days per year (3 weeks). This legislation makes 10 sick days per year the standard across the board, which would affect county, municipal, civil service township, school district, and university employees. This will help create fairness between state and local government employees. The bill contains a provision that restricts collective bargaining agreements from requiring local governments to provide more than the state mandated number of 10 sick days annually.

By forcing local governments and taxpayers to provide an excessive number of sick days, the state is driving-up local governments' costs. When discussing the fiscal cost of sick days, many people point to the severance paid to employees upon ending public service. The Ohio Revised Code already has caps on how much unused sick time employees can be paid severance. Yes, the severance paid-out is a problem, but that is not the main cost driver. The real fiscal impact is related to overtime costs. When a police officer or fire fighter calls in sick, the taxpayers has to pay them at their full-rate of pay and another employee typically time and half to cover their shift. The cost of the state mandate is embedded into the overtime costs for local governments.

You will be hard pressed to find any private-sector business that provides 15 sick days annually. Many Ohioans working in the private sector are not provided a single sick day. However, they are forced to have their taxes pay for government employees to have 15 sick days annually. Is that fair to the average hard working Ohioan? I think not. And do not forget, government employees almost always are allowed to roll-over and accumulate sick days from year to year. That perk is almost unheard in the private sector. Also, government employees often receive additional, generous amounts of personal days, vacation leave, and bereavement days.

The legislature created this excessive mandate and it is time for us to fix it. After I introduced this bill, many local government employees have called my office asking the same question: Why are you getting involved with a local government issue? The answer to that question is simple. This is a mandate by state law, which means only state legislature can remove this burden on Ohio's local governments. With House Bill 298, I am simply trying to ease and lessen the burden, not completely remove it. It is important to note the Ohio House of Representatives passed House Bill 49, the state operating budget, including House Bill 298 language related to university employees at my request. Unfortunately, the language did not make it into the final version signed by the Governor.

As a former mayor and city council member, I understand how state mandates impact local governments. As a former member of State Auditor's performance audit division, I traveled the state helping local governments in fiscal crisis. I saw first-hand how the excessive sick leave mandate drove up costs for local governments. I set in many mayors and school superintendent's offices as they complained and lamented on inflexible state mandates that were so costly, including the mandate for sick leave for employees.

Please join with me to support a reasonable standard of sick days for local governments, which is the same allotment state employees receive. It is time to provide relief to our local governments. I respectfully ask for your support and welcome any questions committee members may have.