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## A B I L L

To amend sections 124.23 and 124.27 of the Revised 1  
Code to modify the percentage of additional credit 2  
that may be awarded to qualifying veterans in 3  
classified civil service examinations. 4

### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That sections 124.23 and 124.27 of the Revised 5  
Code be amended to read as follows: 6

**Sec. 124.23.** (A) All applicants for positions and places in 7  
the classified service shall be subject to examination, except for 8  
applicants for positions as professional or certified service and 9  
paraprofessional employees of county boards of mental retardation 10  
and developmental disabilities, who shall be hired in the manner 11  
provided in section 124.241 of the Revised Code. 12

(B)(1) Any examination administered under this section shall 13

be public, and be open to all citizens of the United States and 14  
those persons who have legally declared their intentions of 15  
becoming United States citizens, within certain limitations to be 16  
determined by the director of administrative services, as to 17  
citizenship, age, experience, education, health, habit, and moral 18  
character; ~~provided any soldier, sailor, marine, coast guarder,~~ 19  
~~member of the auxiliary corps as established by congress, member~~ 20  
~~of the army nurse corps or navy nurse corps, or red cross nurse~~ 21  
~~who has served in the army, navy, or hospital service of the~~ 22  
~~United States, and such other military service as is designated by~~ 23  
~~congress, including World War I, World War II, or during the~~ 24  
~~period beginning May 1, 1949, and lasting so long as the armed~~ 25  
~~forces of the United States are engaged in armed conflict or~~ 26  
~~occupation duty, or the selective service or similar conscriptive~~ 27  
~~acts are in effect in the United States, whichever is the later~~ 28  
~~date. Any person who has completed service in the uniformed~~ 29  
~~services, who has been honorably discharged therefrom from the~~ 30  
~~uniformed services or transferred to the reserve with evidence of~~ 31  
~~satisfactory service, and is a resident of Ohio, this state may~~ 32  
~~file with the director of administrative services a certificate of~~ 33  
~~service or honorable discharge, whereupon and, upon this filing,~~ 34  
~~the person shall receive additional credit of twenty per cent of~~ 35  
~~the person's total grade given in the regular examination in which~~ 36  
~~the person receives a passing grade as established under division~~ 37  
(B)(2) of this section. Such 38

As used in this division, "service in the uniformed services" 39  
and "uniformed services" have the same meanings as in the 40  
"Uniformed Services Employment and Reemployment Rights Act of 41  
1994," 108 Stat. 3149, 38 U.S.C.A. 4303. 42

(2) The director of administrative services, the legislative 43  
authority of a city or county, the board of education of a city 44  
school district, or the board of health of a city or general 45

health district, as applicable, shall establish the amount of 46  
additional credit to be awarded to a person who files a 47  
certificate of service or honorable discharge with the director 48  
under division (B)(1) of this section and satisfies the other 49  
criteria of that division and this division. The amount of the 50  
credit shall be a percentage of a person's total grade given in 51  
the regular examination in which the person receives a passing 52  
grade and shall be not less than ten per cent. 53

(C) An examination may include an evaluation of such factors 54  
as education, training, capacity, knowledge, manual dexterity, and 55  
physical or psychological fitness. Examinations An examination 56  
shall consist of one or more tests in any combination. Tests may 57  
be written, oral, physical, demonstration of skill, or an 58  
evaluation of training and experiences and shall be designed to 59  
fairly test the relative capacity of the persons examined to 60  
discharge the particular duties of the position for which 61  
appointment is sought. Where If minimum or maximum requirements 62  
are established for any examination they shall be specified in the 63  
examination announcement. 64

(D) The director of administrative services shall have 65  
control of all examinations, except as otherwise provided in 66  
sections 124.01 to 124.64 of the Revised Code. No questions in any 67  
examination shall relate to political or religious opinions or 68  
affiliations. No credit for seniority, efficiency, or any other 69  
reason shall be added to an applicant's examination grade unless 70  
the applicant achieves at least the minimum passing grade on the 71  
examination without counting such that extra credit. 72

(E) Except as otherwise provided in sections 124.01 to 124.64 73  
of the Revised Code, the director of administrative services shall 74  
give reasonable notice of the time, place, and general scope of 75  
every competitive examination for appointment to a position in the 76  
civil service. The director ~~of administrative services~~ shall send 77

written, printed, or electronic notices of every examination ~~of~~ to 78  
be conducted in the state classified service to each agency of the 79  
type the director of job and family services specifies and, in the 80  
case of a county in which no such agency is located, to the clerk 81  
of the court of common pleas of that county and to the clerk of 82  
each city ~~of~~ located within that county. Such Those notices, 83  
promptly upon receipt, shall be posted promptly in conspicuous 84  
public places in the designated agencies and the courthouse, and 85  
city hall of the cities, of the counties in which no ~~such~~ 86  
designated agency is located. Such Those notices also shall be 87  
posted in a conspicuous place in the office of the director of 88  
administrative services for at least two weeks ~~before~~ preceding 89  
any examination involved. In case of examinations limited by the 90  
director ~~of administrative services~~ to a district, county, city, 91  
or department, the director ~~of administrative services~~ shall 92  
provide by rule for adequate publicity of ~~such examinations an~~ 93  
examination in the district, county, city, or department within 94  
which competition is permitted. 95

**Sec. 124.27.** (A) The head of a department, office, or 96  
institution, in which a position in the classified service is to 97  
be filled, shall notify the director of administrative services of 98  
the fact, and the director shall, except as otherwise provided in 99  
this section and sections 124.30 and 124.31 of the Revised Code, 100  
certify to the appointing authority the names and addresses of the 101  
ten candidates standing highest on the eligible list for the class 102  
or grade to which the position belongs; ~~provided, except~~ that the 103  
director may certify less than ten names if ten names are not 104  
available. When less than ten names are certified to an appointing 105  
authority, appointment from that list shall not be mandatory. When 106  
a position in the classified service in the department of mental 107  
health or the department of mental retardation and developmental 108  
disabilities is to be filled, the director of administrative 109

services shall make such certification to the appointing authority	110
within seven working days of the date the eligible list is	111
requested.	112
(B) The appointing authority shall notify the director of	113
<u>such administrative services of a position in the classified</u>	114
<u>service</u> to be filled, and the appointing authority shall fill <u>such</u>	115
<u>the vacant</u> position by appointment of one of the ten persons	116
certified by the director. If more than one position is to be	117
filled, the director <del>of administrative services</del> may certify a	118
group of names from the eligible list, and the appointing	119
authority shall appoint in the following manner: <u>Beginning</u>	120
<u>beginning</u> at the top of the list, each time a selection is made,	121
it must be from one of the first ten candidates remaining on the	122
list who is willing to accept consideration for the position. If	123
an eligible list becomes exhausted, and until a new list can be	124
created, or when no eligible list for <u>such a</u> position exists,	125
names may be certified from eligible lists most appropriate for	126
the group or class in which the position to be filled is	127
classified. A person <u>who is</u> certified from an eligible list more	128
than three times to the same appointing authority for the same or	129
similar positions, may be omitted from future certification to	130
<u>such that</u> appointing authority, provided that certification for a	131
temporary appointment shall not be counted as one of <u>such those</u>	132
certifications. Every <del>soldier, sailor, marine, coast guarder,</del>	133
<del>member of the auxiliary corps as established by congress, member</del>	134
<del>of the army nurse corps, or navy nurse corps, or red cross nurse</del>	135
<del>who has served in the army, navy, or hospital service of the</del>	136
<del>United States, and such other military service as is designated by</del>	137
<del>congress in the war with Spain, including the Philippine</del>	138
<del>insurrection and the Chinese relief expedition, or from April 21,</del>	139
<del>1898, to July 4, 1902, World War I, World War II, or during the</del>	140
<del>period beginning May 1, 1949, and lasting so long as the armed</del>	141

forces of the United States are engaged in armed conflict or occupation duty, or the selective service or similar conscriptive acts are in effect in the United States, whichever is the later date, who has been honorably discharged or separated under honorable conditions therefrom, <u>person</u> who <u>qualifies for veteran's</u> <u>preference under section 124.23 of the Revised Code, who is a</u> resident of this state, and whose name is on the eligible list for a position, shall be entitled to preference in original appointments to any such competitive position in the civil service of the state and <u>the its</u> civil divisions <u>thereof</u> , over all <u>other</u> persons eligible for <u>such those</u> appointments and standing on the <u>relevant eligible</u> list <u>therefor</u> , with a rating equal to that of <u>each such the person qualifying for veteran's preference.</u>	142 143 144 145 146 147 148 149 150 151 152 153 154
Appointments to all positions in the classified service, that are not filled by promotion, transfer, or reduction, as provided in sections 124.01 to 124.64 of the Revised Code and the rules of the director prescribed under those sections, shall be made only from those persons whose names are certified to the appointing authority, and no employment, except as provided in those sections, shall be otherwise given in the classified service of this state or any political subdivision of the state.	155 156 157 158 159 160 161 162
(C) All original and promotional appointments, including provisional appointments made pursuant to section 124.30 of the Revised Code, shall be for a probationary period, not less than sixty days nor more than one year, to be fixed by the rules of the director, except as provided in section 124.231 of the Revised Code, <u>or and</u> except <u>for</u> original appointments to a police department as a police officer, or to a fire department as a firefighter which shall be for a probationary period of one year, <u>and no</u> appointment or promotion is final until the appointee has satisfactorily served the probationary period. Service as a provisional employee in the same or similar class shall be included in the probationary period. If the service of the	163 164 165 166 167 168 169 170 171 172 173 174

probationary employee is unsatisfactory, the employee may be 175  
removed or reduced at any time during the probationary period. If 176  
the appointing ~~authority's decision is~~ authority decides to remove 177  
the appointee, the appointing authority's communication to the 178  
director shall indicate the reason for that decision. A 179  
probationary employee duly removed or reduced in position for 180  
unsatisfactory service does not have the right to appeal the 181  
removal or reduction under section 124.34 of the Revised Code. 182

**Section 2.** That existing sections 124.23 and 124.27 of the 183  
Revised Code are hereby repealed. 184