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Webster, Widener, Widowfield, Williams, Wilson

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
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be public, and be open to all citizens of the United States and
those persons who have legally declared their intentions of
becoming United States citizens, within certain limitations to be
determined by the director of administrative services, as to
citizenship, age, experience, education, health, habit, and moral
character; ~~provided any soldier, sailor, marine, coast guarder,~~
~~member of the auxiliary corps as established by congress, member~~
~~of the army nurse corps or navy nurse corps, or red cross nurse~~
~~who has served in the army, navy, or hospital service of the~~
~~United States, and such other military service as is designated by~~
~~congress, including World War I, World War II, or during the~~
~~period beginning May 1, 1949, and lasting so long as the armed~~
~~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.~~ Any person who has completed service in the uniformed
services, who has been honorably discharged therefrom from the
uniformed services or transferred to the reserve with evidence of
satisfactory service, and is a resident of ~~Ohio,~~ this state may
file with the director ~~of administrative services~~ a certificate of
service or honorable discharge, ~~whereupon~~ and, upon this filing,
the person shall receive additional credit ~~of twenty per cent of~~
~~the person's total grade given in the regular examination in which~~
~~the person receives a passing grade~~ as established under division
(B)(2) of this section. ~~Such~~

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

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

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

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

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

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

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
~~such administrative services of a position in the classified~~ 114
~~service~~ to be filled, and the appointing authority shall fill ~~such~~ 115
~~the vacant~~ 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 ~~of administrative services~~ may certify a 118
group of names from the eligible list, and the appointing 119
authority shall appoint in the following manner: ~~Beginning~~ 120
~~beginning~~ 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 ~~such a~~ 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 who is 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
~~such that~~ appointing authority, provided that certification for a 131
temporary appointment shall not be counted as one of ~~such those~~ 132
certifications. Every ~~soldier, sailor, marine, coast guarder,~~ 133
~~member of the auxiliary corps as established by congress, member~~ 134
~~of the army nurse corps, or navy nurse corps, or red cross nurse~~ 135
~~who has served in the army, navy, or hospital service of the~~ 136
~~United States, and such other military service as is designated by~~ 137
~~congress in the war with Spain, including the Philippine~~ 138
~~insurrection and the Chinese relief expedition, or from April 21,~~ 139
~~1898, to July 4, 1902, World War I, World War II, or during the~~ 140
~~period beginning May 1, 1949, and lasting so long as the armed~~ 141

~~forces of the United States are engaged in armed conflict or~~ 142
~~occupation duty, or the selective service or similar conscriptive~~ 143
~~acts are in effect in the United States, whichever is the later~~ 144
~~date, who has been honorably discharged or separated under~~ 145
~~honorable conditions therefrom, person who qualifies for veteran's~~ 146
~~preference under section 124.23 of the Revised Code, who is a~~ 147
resident of this state, and whose name is on the eligible list for 148
a position, shall be entitled to preference in original 149
appointments to any such competitive position in the civil service 150
of the state and ~~the~~ its civil divisions ~~thereof~~, over all other 151
persons eligible for ~~such~~ those appointments and standing on the 152
relevant eligible list ~~therefor~~, with a rating equal to that of 153
~~each such~~ the person qualifying for veteran's preference. 154
Appointments to all positions in the classified service, that are 155
not filled by promotion, transfer, or reduction, as provided in 156
sections 124.01 to 124.64 of the Revised Code and the rules of the 157
director prescribed under those sections, shall be made only from 158
those persons whose names are certified to the appointing 159
authority, and no employment, except as provided in those 160
sections, shall be otherwise given in the classified service of 161
this state or any political subdivision of the state. 162

(C) All original and promotional appointments, including 163
provisional appointments made pursuant to section 124.30 of the 164
Revised Code, shall be for a probationary period, not less than 165
sixty days nor more than one year, to be fixed by the rules of the 166
director, except as provided in section 124.231 of the Revised 167
Code, ~~or~~ and except for original appointments to a police 168
department as a police officer, or to a fire department as a 169
firefighter which shall be for a probationary period of one year, 170
~~and no.~~ No appointment or promotion is final until the appointee 171
has satisfactorily served the probationary period. Service as a 172
provisional employee in the same or similar class shall be 173
included in the probationary period. If the service of the 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