



## **H.B. 246**

125th General Assembly

(As Reported by H. County & Township Government)

**Reps. T. Patton, Flowers, Daniels, Collier, Walcher, Domenick, C. Evans, Schlichter, Chandler, McGregor, Fessler, Wolpert**

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### **BILL SUMMARY**

- Changes the additional credit awarded to qualifying veterans in classified civil service examinations from 20% of their total passing grade to a percentage that is determined by the Director of Administrative Services or the relevant political subdivision, but that cannot be less than 10% of the veteran's total passing grade.
- Eliminates the current enumeration of military personnel who might qualify for that "veteran's preference," and substitutes a reference to persons who have completed "service in the uniformed services," as defined in federal law.

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### **CONTENT AND OPERATION**

#### **Existing law**

The Civil Service Law generally requires applicants for employment in the classified civil service of the state or a city, county, city school district, or health district to take a civil service examination. Under existing law, certain enumerated military personnel who are such applicants, who have been honorably discharged or have transferred to the reserve with evidence of satisfactory service, and who are residents of Ohio must receive an additional credit of 20% of their total *passing* grade in the required examination, upon filing with the Director of Administrative Services a certificate of service or honorable discharge. This is commonly referred to as a "veteran's preference." In addition, generally similar enumerated military personnel who have been honorably discharged or separated under honorable conditions, who are Ohio residents, and whose names appear on a civil service eligible list for a position are entitled to a preference in *original* appointments to competitive positions in the classified civil service over all others

on an eligible list for appointment to a position who have a rating equal to that of the veteran. (Secs. 124.23(B) and 124.27(B).)

**Changes proposed by the bill**

The bill changes the veteran's preference for classified civil service examinations from an additional credit of 20% of a veteran's total passing grade on an examination to an additional credit established by the Director of Administrative Services or the relevant political subdivision providing the examination. That additional credit must be a percentage of the veteran's total passing grade but not less than 10%.<sup>1</sup> And, similar to existing law, a veteran may be awarded the veteran's preference so established only upon filing with the Director of Administrative Services a certificate of service or honorable discharge. (Sec. 124.23(B)(1) and (2).)

The bill also eliminates existing law's enumeration of military personnel who might qualify for the veteran's preference and simply states that a person who has completed "service in the uniformed services," who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service, and who is an Ohio resident is eligible for the preference (sec. 124.23(B)(1)).<sup>2</sup>

Under the bill, a person who satisfies the latter criteria and, thus, qualifies for veteran's preference is entitled to a preference in original appointments to any competitive position in the classified civil service over a nonveteran on a relevant civil service eligible list with a rating equal to that of the veteran. The bill also

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<sup>1</sup> *In the case of a political subdivision, the decision would be made by a city or county legislative authority, city school district board of education, or city or general health district board of health (sec. 124.23(B)(2)).*

<sup>2</sup> *38 U.S.C. 4303, a part of the Uniformed Services Employment and Reemployment Rights Act of 1994, defines "service in the uniformed services" as follows: the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty, and a period for which a person is absent from employment for the purpose of performing funeral honors duty. It also defines "uniformed services" as follows: the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.*

eliminates the enumeration of military personnel in existing law with respect to this preference. (Sec. 124.27(B).)

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## **HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	07-11-03	p. 1012
Reported, H. County & Township Government	10-15-03	p. 1118

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