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H.B. 146
136th General Assembly

Bill Analysis

Version: As introduced

Primary Sponsor: Rep. Lorenz

Racheal Vargo, LSC Fellow

SUMMARY

- Changes the civil service status of all positions within a county department of probation from classified to unclassified service.

DETAILED ANALYSIS

Civil service status

The bill changes the civil service status of all positions within a county department of probation from classified to unclassified service. Under current law, all positions within the department of probation, except for probation officers in the juvenile division of a court of common pleas, are in the classified service.¹

The “civil service” includes all offices and positions of trust or employment in the service of the state and the counties, cities, civil service townships, city health districts, general health districts, and city school districts. The civil service is divided into unclassified and classified service.

An applicant for a position in the unclassified service is not required to take a competitive examination. Employees in the unclassified service hold their positions at the pleasure of the appointing authority, may be dismissed without cause, and are afforded none of the procedural safeguards available to classified service employees. Thus, they are essentially employed at-will and can be dismissed for any reason not contrary to law.²

Positions in the classified service are those for which it is practicable to determine merit and fitness primarily by competitive examination. After taking an examination, an individual who

¹ R.C. 2301.27.

² R.C. 124.11 and *Suso v. Dept. of Dev.*, 93 Ohio App.3d 493, 499 (10th Dist.1993).

qualifies for a position is placed on an eligible list, and appointments are made from individuals placed on the list. The tenure of every employee in the classified service is during good behavior and efficient service. Employees in the classified service can be removed only for good cause and after certain procedures are followed. They also are entitled to other protections, such as safeguards regarding unwarranted reduction in pay or position, or being fined, suspended, or removed for reasons outside of what is specified in the law. Positions in the classified service generally include any position not specifically included in the unclassified service.³

HISTORY

Action	Date
Introduced	03-03-25

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³ R.C. 124.11(B), 124.27, and 124.34 and see, e.g., R.C. 124.60.