

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. B. No. 116

Senators Lang, Romanchuk

A BILL

To amend sections 4141.01, 4141.29, 4141.30, 1
4141.43, and 4141.53 and to enact section 2
4141.02 of the Revised Code to make changes to 3
Ohio's Unemployment Compensation Law. 4

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

Section 1. That sections 4141.01, 4141.29, 4141.30, 5
4141.43, and 4141.53 be amended and section 4141.02 of the 6
Revised Code be enacted to read as follows: 7

Sec. 4141.01. As used in this chapter, unless the context 8
otherwise requires: 9

(A) (1) "Employer" means the state, its instrumentalities, 10
its political subdivisions and their instrumentalities, Indian 11
tribes, and any individual or type of organization including any 12
partnership, limited liability company, association, trust, 13
estate, joint-stock company, insurance company, or corporation, 14
whether domestic or foreign, or the receiver, trustee in 15
bankruptcy, trustee, or the successor thereof, or the legal 16
representative of a deceased person who subsequent to December 17
31, 1971, or in the case of political subdivisions or their 18
instrumentalities, subsequent to December 31, 1973: 19

(a) Had in employment at least one individual, or in the case of a nonprofit organization, subsequent to December 31, 1973, had not less than four individuals in employment for some portion of a day in each of twenty different calendar weeks, in either the current or the preceding calendar year whether or not the same individual was in employment in each such day; or

(b) Except for a nonprofit organization, had paid for service in employment wages of fifteen hundred dollars or more in any calendar quarter in either the current or preceding calendar year; or

(c) Had paid, subsequent to December 31, 1977, for employment in domestic service in a local college club, or local chapter of a college fraternity or sorority, cash remuneration of one thousand dollars or more in any calendar quarter in the current calendar year or the preceding calendar year, or had paid subsequent to December 31, 1977, for employment in domestic service in a private home cash remuneration of one thousand dollars in any calendar quarter in the current calendar year or the preceding calendar year:

(i) For the purposes of divisions (A) (1) (a) and (b) of this section, there shall not be taken into account any wages paid to, or employment of, an individual performing domestic service as described in this division.

(ii) An employer under this division shall not be an employer with respect to wages paid for any services other than domestic service unless the employer is also found to be an employer under division (A) (1) (a), (b), or (d) of this section.

(d) As a farm operator or a crew leader subsequent to December 31, 1977, had in employment individuals in agricultural

labor; and 49

(i) During any calendar quarter in the current calendar 50
year or the preceding calendar year, paid cash remuneration of 51
twenty thousand dollars or more for the agricultural labor; or 52

(ii) Had at least ten individuals in employment in 53
agricultural labor, not including agricultural workers who are 54
aliens admitted to the United States to perform agricultural 55
labor pursuant to sections 1184(c) and 1101(a)(15)(H) of the 56
"Immigration and Nationality Act," 66 Stat. 163, 189, 8 U.S.C.A. 57
1101(a)(15)(H)(ii)(a), 1184(c), for some portion of a day in 58
each of the twenty different calendar weeks, in either the 59
current or preceding calendar year whether or not the same 60
individual was in employment in each day; or 61

(e) Is not otherwise an employer as defined under division 62
(A)(1)(a) or (b) of this section; and 63

(i) For which, within either the current or preceding 64
calendar year, service, except for domestic service in a private 65
home not covered under division (A)(1)(c) of this section, is or 66
was performed with respect to which such employer is liable for 67
any federal tax against which credit may be taken for 68
contributions required to be paid into a state unemployment 69
fund; 70

(ii) Which, as a condition for approval of this chapter 71
for full tax credit against the tax imposed by the "Federal 72
Unemployment Tax Act," 84 Stat. 713, 26 U.S.C.A. 3301 to 3311, 73
is required, pursuant to such act to be an employer under this 74
chapter; or 75

(iii) Who became an employer by election under division 76
(A)(4) or (5) of this section and for the duration of such 77

election; or	78
(f) In the case of the state, its instrumentalities, its political subdivisions, and their instrumentalities, and Indian tribes, had in employment, as defined in divisions (B) (2) (a) and (B) (2) (1) of this section, at least one individual;	79 80 81 82
(g) For the purposes of division (A) (1) (a) of this section, if any week includes both the thirty-first day of December and the first day of January, the days of that week before the first day of January shall be considered one calendar week and the days beginning the first day of January another week.	83 84 85 86 87 88
(2) Each individual employed to perform or to assist in performing the work of any agent or employee of an employer is employed by such employer for all the purposes of this chapter, whether such individual was hired or paid directly by such employer or by such agent or employee, provided the employer had actual or constructive knowledge of the work. All individuals performing services for an employer of any person in this state who maintains two or more establishments within this state are employed by a single employer for the purposes of this chapter.	89 90 91 92 93 94 95 96 97
(3) An employer subject to this chapter within any calendar year is subject to this chapter during the whole of such year and during the next succeeding calendar year.	98 99 100
(4) An employer not otherwise subject to this chapter who files with the director of job and family services a written election to become an employer subject to this chapter for not less than two calendar years shall, with the written approval of such election by the director, become an employer subject to this chapter to the same extent as all other employers as of the	101 102 103 104 105 106

date stated in such approval, and shall cease to be subject to 107
this chapter as of the first day of January of any calendar year 108
subsequent to such two calendar years only if at least thirty 109
days prior to such first day of January the employer has filed 110
with the director a written notice to that effect. 111

(5) Any employer for whom services that do not constitute 112
employment are performed may file with the director a written 113
election that all such services performed by individuals in the 114
employer's employ in one or more distinct establishments or 115
places of business shall be deemed to constitute employment for 116
all the purposes of this chapter, for not less than two calendar 117
years. Upon written approval of the election by the director, 118
such services shall be deemed to constitute employment subject 119
to this chapter from and after the date stated in such approval. 120
Such services shall cease to be employment subject to this 121
chapter as of the first day of January of any calendar year 122
subsequent to such two calendar years only if at least thirty 123
days prior to such first day of January such employer has filed 124
with the director a written notice to that effect. 125

(6) "Employer" does not include a franchisor with respect 126
to the franchisor's relationship with a franchisee or an 127
employee of a franchisee, unless the franchisor agrees to assume 128
that role in writing or a court of competent jurisdiction 129
determines that the franchisor exercises a type or degree of 130
control over the franchisee or the franchisee's employees that 131
is not customarily exercised by a franchisor for the purpose of 132
protecting the franchisor's trademark, brand, or both. For 133
purposes of this division, "franchisor" and "franchisee" have 134
the same meanings as in 16 C.F.R. 436.1. 135

(B) (1) "Employment" means service performed by an 136

individual for remuneration under any contract of hire, written 137
or oral, express or implied, including service performed in 138
interstate commerce and service performed by an officer of a 139
corporation, without regard to whether such service is 140
executive, managerial, or manual in nature, and without regard 141
to whether such officer is a stockholder or a member of the 142
board of directors of the corporation, unless it is shown to the 143
satisfaction of the director that such individual has been and 144
will continue to be free from direction or control over the 145
performance of such service, both under a contract of service 146
and in fact. The director shall adopt rules to define "direction 147
or control." 148

(2) "Employment" includes: 149

(a) Service performed after December 31, 1977, by an 150
individual in the employ of the state or any of its 151
instrumentalities, or any political subdivision thereof or any 152
of its instrumentalities or any instrumentality of more than one 153
of the foregoing or any instrumentality of any of the foregoing 154
and one or more other states or political subdivisions and 155
without regard to divisions (A) (1) (a) and (b) of this section, 156
provided that such service is excluded from employment as 157
defined in the "Federal Unemployment Tax Act," 53 Stat. 183, 26 158
U.S.C.A. 3301, 3306(c) (7) and is not excluded under division (B) 159
(3) of this section; or the services of employees covered by 160
voluntary election, as provided under divisions (A) (4) and (5) 161
of this section; 162

(b) Service performed after December 31, 1971, by an 163
individual in the employ of a religious, charitable, 164
educational, or other organization which is excluded from the 165
term "employment" as defined in the "Federal Unemployment Tax 166

Act," 84 Stat. 713, 26 U.S.C.A. 3301 to 3311, solely by reason 167
of section 26 U.S.C.A. 3306(c) (8) of that act and is not 168
excluded under division (B) (3) of this section; 169

(c) Domestic service performed after December 31, 1977, 170
for an employer, as provided in division (A) (1) (c) of this 171
section; 172

(d) Agricultural labor performed after December 31, 1977, 173
for a farm operator or a crew leader, as provided in division 174
(A) (1) (d) of this section; 175

(e) Subject to division (B) (2) (m) of this section, service 176
not covered under division (B) (1) of this section which is 177
performed after December 31, 1971: 178

(i) As an agent-driver or commission-driver engaged in 179
distributing meat products, vegetable products, fruit products, 180
bakery products, beverages other than milk, laundry, or dry- 181
cleaning services, for the individual's employer or principal; 182

(ii) As a traveling or city salesperson, other than as an 183
agent-driver or commission-driver, engaged on a full-time basis 184
in the solicitation on behalf of and in the transmission to the 185
salesperson's employer or principal except for sideline sales 186
activities on behalf of some other person of orders from 187
wholesalers, retailers, contractors, or operators of hotels, 188
restaurants, or other similar establishments for merchandise for 189
resale, or supplies for use in their business operations, 190
provided that for the purposes of division (B) (2) (e) (ii) of this 191
section, the services shall be deemed employment if the contract 192
of service contemplates that substantially all of the services 193
are to be performed personally by the individual and that the 194
individual does not have a substantial investment in facilities 195

used in connection with the performance of the services other 196
than in facilities for transportation, and the services are not 197
in the nature of a single transaction that is not a part of a 198
continuing relationship with the person for whom the services 199
are performed. 200

(f) An individual's entire service performed within or 201
both within and without the state if: 202

(i) The service is localized in this state. 203

(ii) The service is not localized in any state, but some 204
of the service is performed in this state and either the base of 205
operations, or if there is no base of operations then the place 206
from which such service is directed or controlled, is in this 207
state or the base of operations or place from which such service 208
is directed or controlled is not in any state in which some part 209
of the service is performed but the individual's residence is in 210
this state. 211

(g) Service not covered under division (B) (2) (f) (ii) of 212
this section and performed entirely without this state, with 213
respect to no part of which contributions are required and paid 214
under an unemployment compensation law of any other state, the 215
Virgin Islands, Canada, or of the United States, if the 216
individual performing such service is a resident of this state 217
and the director approves the election of the employer for whom 218
such services are performed; or, if the individual is not a 219
resident of this state but the place from which the service is 220
directed or controlled is in this state, the entire services of 221
such individual shall be deemed to be employment subject to this 222
chapter, provided service is deemed to be localized within this 223
state if the service is performed entirely within this state or 224
if the service is performed both within and without this state 225

but the service performed without this state is incidental to 226
the individual's service within the state, for example, is 227
temporary or transitory in nature or consists of isolated 228
transactions; 229

(h) Service of an individual who is a citizen of the 230
United States, performed outside the United States except in 231
Canada after December 31, 1971, or the Virgin Islands, after 232
December 31, 1971, and before the first day of January of the 233
year following that in which the United States secretary of 234
labor approves the Virgin Islands law for the first time, in the 235
employ of an American employer, other than service which is 236
"employment" under divisions (B) (2) (f) and (g) of this section 237
or similar provisions of another state's law, if: 238

(i) The employer's principal place of business in the 239
United States is located in this state; 240

(ii) The employer has no place of business in the United 241
States, but the employer is an individual who is a resident of 242
this state; or the employer is a corporation which is organized 243
under the laws of this state, or the employer is a partnership 244
or a trust and the number of partners or trustees who are 245
residents of this state is greater than the number who are 246
residents of any other state; or 247

(iii) None of the criteria of divisions (B) (2) (f) (i) and 248
(ii) of this section is met but the employer has elected 249
coverage in this state or the employer having failed to elect 250
coverage in any state, the individual has filed a claim for 251
benefits, based on such service, under this chapter. 252

(i) For the purposes of division (B) (2) (h) of this 253
section, the term "American employer" means an employer who is 254

an individual who is a resident of the United States; or a 255
partnership, if two-thirds or more of the partners are residents 256
of the United States; or a trust, if all of the trustees are 257
residents of the United States; or a corporation organized under 258
the laws of the United States or of any state, provided the term 259
"United States" includes the states, the District of Columbia, 260
the Commonwealth of Puerto Rico, and the Virgin Islands. 261

(j) Notwithstanding any other provisions of divisions (B) 262
(1) and (2) of this section, service, except for domestic 263
service in a private home not covered under division (A) (1) (c) 264
of this section, with respect to which a tax is required to be 265
paid under any federal law imposing a tax against which credit 266
may be taken for contributions required to be paid into a state 267
unemployment fund, or service, except for domestic service in a 268
private home not covered under division (A) (1) (c) of this 269
section, which, as a condition for full tax credit against the 270
tax imposed by the "Federal Unemployment Tax Act," 84 Stat. 713, 271
26 U.S.C.A. 3301 to 3311, is required to be covered under this 272
chapter. 273

(k) Construction services performed by any individual 274
under a construction contract, as defined in section 4141.39 of 275
the Revised Code, if the director determines that the employer 276
for whom services are performed has the right to direct or 277
control the performance of the services and that the individuals 278
who perform the services receive remuneration for the services 279
performed. The director shall presume that the employer for whom 280
services are performed has the right to direct or control the 281
performance of the services if ten or more of the following 282
criteria apply: 283

(i) The employer directs or controls the manner or method 284

by which instructions are given to the individual performing services;	285 286
(ii) The employer requires particular training for the individual performing services;	287 288
(iii) Services performed by the individual are integrated into the regular functioning of the employer;	289 290
(iv) The employer requires that services be provided by a particular individual;	291 292
(v) The employer hires, supervises, or pays the wages of the individual performing services;	293 294
(vi) A continuing relationship between the employer and the individual performing services exists which contemplates continuing or recurring work, even if not full-time work;	295 296 297
(vii) The employer requires the individual to perform services during established hours;	298 299
(viii) The employer requires that the individual performing services be devoted on a full-time basis to the business of the employer;	300 301 302
(ix) The employer requires the individual to perform services on the employer's premises;	303 304
(x) The employer requires the individual performing services to follow the order of work established by the employer;	305 306 307
(xi) The employer requires the individual performing services to make oral or written reports of progress;	308 309
(xii) The employer makes payment to the individual for services on a regular basis, such as hourly, weekly, or monthly;	310 311

(xiii) The employer pays expenses for the individual performing services;	312 313
(xiv) The employer furnishes the tools and materials for use by the individual to perform services;	314 315
(xv) The individual performing services has not invested in the facilities used to perform services;	316 317
(xvi) The individual performing services does not realize a profit or suffer a loss as a result of the performance of the services;	318 319 320
(xvii) The individual performing services is not performing services for more than two employers simultaneously;	321 322
(xviii) The individual performing services does not make the services available to the general public;	323 324
(xix) The employer has a right to discharge the individual performing services;	325 326
(xx) The individual performing services has the right to end the individual's relationship with the employer without incurring liability pursuant to an employment contract or agreement.	327 328 329 330
(1) Service performed by an individual in the employ of an Indian tribe as defined by section 4(e) of the "Indian Self-Determination and Education Assistance Act," 88 Stat. 2204 (1975), 25 U.S.C.A. 450b(e), including any subdivision, subsidiary, or business enterprise wholly owned by an Indian tribe provided that the service is excluded from employment as defined in the "Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 and 3306(c)(7) and is not excluded under division (B)(3) of this section.	331 332 333 334 335 336 337 338 339

(m) Service performed by an individual for or on behalf of 340
a motor carrier transporting property as an operator of a 341
vehicle or vessel, unless all of the following factors apply to 342
the individual and the motor carrier has not elected to consider 343
the individual's service as employment: 344

(i) The individual owns the vehicle or vessel that is used 345
in performing the services for or on behalf of the carrier, or 346
the individual leases the vehicle or vessel under a bona fide 347
lease agreement that is not a temporary replacement lease 348
agreement. For purposes of this division, a bona fide lease 349
agreement does not include an agreement between the individual 350
and the motor carrier transporting property for which, or on 351
whose behalf, the individual provides services. 352

(ii) The individual is responsible for supplying the 353
necessary personal services to operate the vehicle or vessel 354
used to provide the service. 355

(iii) The compensation paid to the individual is based on 356
factors related to work performed, including on a mileage-based 357
rate or a percentage of any schedule of rates, and not solely on 358
the basis of the hours or time expended. 359

(iv) The individual substantially controls the means and 360
manner of performing the services, in conformance with 361
regulatory requirements and specifications of the shipper. 362

(v) The individual enters into a written contract with the 363
carrier for whom the individual is performing the services that 364
describes the relationship between the individual and the 365
carrier to be that of an independent contractor and not that of 366
an employee. 367

(vi) The individual is responsible for substantially all 368

of the principal operating costs of the vehicle or vessel and 369
equipment used to provide the services, including maintenance, 370
fuel, repairs, supplies, vehicle or vessel insurance, and 371
personal expenses, except that the individual may be paid by the 372
carrier the carrier's fuel surcharge and incidental costs, 373
including tolls, permits, and lumper fees. 374

(vii) The individual is responsible for any economic loss 375
or economic gain from the arrangement with the carrier. 376

(viii) The individual is not performing services described 377
in 26 U.S.C. 3306(c) (7) or (8). 378

(3) "Employment" does not include the following services 379
if they are found not subject to the "Federal Unemployment Tax 380
Act," 84 Stat. 713 (1970), 26 U.S.C.A. 3301 to 3311, and if the 381
services are not required to be included under division (B) (2) 382
(j) of this section: 383

(a) Service performed after December 31, 1977, in 384
agricultural labor, except as provided in division (A) (1) (d) of 385
this section; 386

(b) Domestic service performed after December 31, 1977, in 387
a private home, local college club, or local chapter of a 388
college fraternity or sorority except as provided in division 389
(A) (1) (c) of this section; 390

(c) Service performed after December 31, 1977, for this 391
state or a political subdivision as described in division (B) (2) 392
(a) of this section when performed: 393

(i) As a publicly elected official; 394

(ii) As a member of a legislative body, or a member of the 395
judiciary; 396

(iii) As a military member of the Ohio national guard;	397
(iv) As an employee, not in the classified service as defined in section 124.11 of the Revised Code, serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or similar emergency;	398 399 400 401
(v) In a position which, under or pursuant to law, is designated as a major nontenured policymaking or advisory position, not in the classified service of the state, or a policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week.	402 403 404 405 406 407
(d) In the employ of any governmental unit or instrumentality of the United States;	408 409
(e) Service performed after December 31, 1971:	410
(i) Service in the employ of an educational institution or institution of higher education, including those operated by the state or a political subdivision, if such service is performed by a student who is enrolled and is regularly attending classes at the educational institution or institution of higher education; or	411 412 413 414 415 416
(ii) By an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at the institution, which combines academic instruction with work experience, if the service is an integral part of the program, and the institution has so certified to the employer, provided that this subdivision	417 418 419 420 421 422 423 424 425

shall not apply to service performed in a program established 426
for or on behalf of an employer or group of employers. 427

(f) Service performed by an individual in the employ of 428
the individual's son, daughter, or spouse and service performed 429
by a child under the age of eighteen in the employ of the 430
child's father or mother; 431

(g) Service performed for one or more principals by an 432
individual who is compensated on a commission basis, who in the 433
performance of the work is master of the individual's own time 434
and efforts, and whose remuneration is wholly dependent on the 435
amount of effort the individual chooses to expend, and which 436
service is not subject to the "Federal Unemployment Tax Act," 53 437
Stat. 183 (1939), 26 U.S.C.A. 3301 to 3311. Service performed 438
after December 31, 1971: 439

(i) By an individual for an employer as an insurance agent 440
or as an insurance solicitor, if all this service is performed 441
for remuneration solely by way of commission; 442

(ii) As a home worker performing work, according to 443
specifications furnished by the employer for whom the services 444
are performed, on materials or goods furnished by such employer 445
which are required to be returned to the employer or to a person 446
designated for that purpose. 447

(h) Service performed after December 31, 1971: 448

(i) In the employ of a church or convention or association 449
of churches, or in an organization which is operated primarily 450
for religious purposes and which is operated, supervised, 451
controlled, or principally supported by a church or convention 452
or association of churches; 453

(ii) By a duly ordained, commissioned, or licensed 454

minister of a church in the exercise of the individual's 455
ministry or by a member of a religious order in the exercise of 456
duties required by such order; or 457

(iii) In a facility conducted for the purpose of carrying 458
out a program of rehabilitation for individuals whose earning 459
capacity is impaired by age or physical or mental disability or 460
injury, or providing remunerative work for individuals who 461
because of their impaired physical or mental capacity cannot be 462
readily absorbed in the competitive labor market, by an 463
individual receiving such rehabilitation or remunerative work. 464

(i) Service performed after June 30, 1939, with respect to 465
which unemployment compensation is payable under the "Railroad 466
Unemployment Insurance Act," 52 Stat. 1094 (1938), 45 U.S.C. 467
351; 468

(j) Service performed by an individual in the employ of 469
any organization exempt from income tax under section 501 of the 470
"Internal Revenue Code of 1954," if the remuneration for such 471
service does not exceed fifty dollars in any calendar quarter, 472
or if such service is in connection with the collection of dues 473
or premiums for a fraternal beneficial society, order, or 474
association and is performed away from the home office or is 475
ritualistic service in connection with any such society, order, 476
or association; 477

(k) Casual labor not in the course of an employer's trade 478
or business; incidental service performed by an officer, 479
appraiser, or member of a finance committee of a bank, building 480
and loan association, savings and loan association, or savings 481
association when the remuneration for such incidental service 482
exclusive of the amount paid or allotted for directors' fees 483
does not exceed sixty dollars per calendar quarter is casual 484

labor;	485
(1) Service performed in the employ of a voluntary	486
employees' beneficial association providing for the payment of	487
life, sickness, accident, or other benefits to the members of	488
such association or their dependents or their designated	489
beneficiaries, if admission to a membership in such association	490
is limited to individuals who are officers or employees of a	491
municipal or public corporation, of a political subdivision of	492
the state, or of the United States and no part of the net	493
earnings of such association inures, other than through such	494
payments, to the benefit of any private shareholder or	495
individual;	496
(m) Service performed by an individual in the employ of a	497
foreign government, including service as a consular or other	498
officer or employee or of a nondiplomatic representative;	499
(n) Service performed in the employ of an instrumentality	500
wholly owned by a foreign government if the service is of a	501
character similar to that performed in foreign countries by	502
employees of the United States or of an instrumentality thereof	503
and if the director finds that the secretary of state of the	504
United States has certified to the secretary of the treasury of	505
the United States that the foreign government, with respect to	506
whose instrumentality exemption is claimed, grants an equivalent	507
exemption with respect to similar service performed in the	508
foreign country by employees of the United States and of	509
instrumentalities thereof;	510
(o) Service with respect to which unemployment	511
compensation is payable under an unemployment compensation	512
system established by an act of congress;	513

(p) Service performed as a student nurse in the employ of 514
a hospital or a nurses' training school by an individual who is 515
enrolled and is regularly attending classes in a nurses' 516
training school chartered or approved pursuant to state law, and 517
service performed as an intern in the employ of a hospital by an 518
individual who has completed a four years' course in a medical 519
school chartered or approved pursuant to state law; 520

(q) Service performed by an individual under the age of 521
eighteen in the delivery or distribution of newspapers or 522
shopping news, not including delivery or distribution to any 523
point for subsequent delivery or distribution; 524

(r) Service performed in the employ of the United States 525
or an instrumentality of the United States immune under the 526
Constitution of the United States from the contributions imposed 527
by this chapter, except that to the extent that congress permits 528
states to require any instrumentalities of the United States to 529
make payments into an unemployment fund under a state 530
unemployment compensation act, this chapter shall be applicable 531
to such instrumentalities and to services performed for such 532
instrumentalities in the same manner, to the same extent, and on 533
the same terms as to all other employers, individuals, and 534
services, provided that if this state is not certified for any 535
year by the proper agency of the United States under section 536
3304 of the "Internal Revenue Code of 1954," the payments 537
required of such instrumentalities with respect to such year 538
shall be refunded by the director from the fund in the same 539
manner and within the same period as is provided in division (E) 540
of section 4141.09 of the Revised Code with respect to 541
contributions erroneously collected; 542

(s) Service performed by an individual as a member of a 543

band or orchestra, provided such service does not represent the 544
principal occupation of such individual, and which service is 545
not subject to or required to be covered for full tax credit 546
against the tax imposed by the "Federal Unemployment Tax Act," 547
53 Stat. 183 (1939), 26 U.S.C.A. 3301 to 3311. 548

(t) Service performed in the employ of a day camp whose 549
camping season does not exceed twelve weeks in any calendar 550
year, and which service is not subject to the "Federal 551
Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 to 552
3311. Service performed after December 31, 1971: 553

(i) In the employ of a hospital, if the service is 554
performed by a patient of the hospital, as defined in division 555
(W) of this section; 556

(ii) For a prison or other correctional institution by an 557
inmate of the prison or correctional institution; 558

(iii) Service performed after December 31, 1977, by an 559
inmate of a custodial institution operated by the state, a 560
political subdivision, or a nonprofit organization. 561

(u) Service that is performed by a nonresident alien 562
individual for the period the individual temporarily is present 563
in the United States as a nonimmigrant under division (F), (J), 564
(M), or (Q) of section 101(a)(15) of the "Immigration and 565
Nationality Act," 66 Stat. 163, 8 U.S.C.A. 1101, as amended, 566
that is excluded under section 3306(c)(19) of the "Federal 567
Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301 to 568
3311. 569

(v) Notwithstanding any other provisions of division (B) 570
(3) of this section, services that are excluded under divisions 571
(B)(3)(g), (j), (k), and (l) of this section shall not be 572

excluded from employment when performed for a nonprofit 573
organization, as defined in division (X) of this section, or for 574
this state or its instrumentalities, or for a political 575
subdivision or its instrumentalities or for Indian tribes; 576

(w) Service that is performed by an individual working as 577
an election official or election worker if the amount of 578
remuneration received by the individual during the calendar year 579
for services as an election official or election worker is less 580
than one thousand dollars; 581

(x) Service performed for an elementary or secondary 582
school that is operated primarily for religious purposes, that 583
is described in subsection 501(c)(3) and exempt from federal 584
income taxation under subsection 501(a) of the Internal Revenue 585
Code, 26 U.S.C.A. 501; 586

(y) Service performed by a person committed to a penal 587
institution. 588

(z) Service performed for an Indian tribe as described in 589
division (B)(2)(1) of this section when performed in any of the 590
following manners: 591

(i) As a publicly elected official; 592

(ii) As a member of an Indian tribal council; 593

(iii) As a member of a legislative or judiciary body; 594

(iv) In a position which, pursuant to Indian tribal law, 595
is designated as a major nontenured policymaking or advisory 596
position, or a policymaking or advisory position where the 597
performance of the duties ordinarily does not require more than 598
eight hours of time per week; 599

(v) As an employee serving on a temporary basis in the 600

case of a fire, storm, snow, earthquake, flood, or similar 601
emergency. 602

(aa) Service performed after December 31, 1971, for a 603
nonprofit organization, this state or its instrumentalities, a 604
political subdivision or its instrumentalities, or an Indian 605
tribe as part of an unemployment work-relief or work-training 606
program assisted or financed in whole or in part by any federal 607
agency or an agency of a state or political subdivision, 608
thereof, by an individual receiving the work-relief or work- 609
training. 610

(bb) Participation in a learn to earn program as defined 611
in section 4141.293 of the Revised Code. 612

(4) If the services performed during one half or more of 613
any pay period by an employee for the person employing that 614
employee constitute employment, all the services of such 615
employee for such period shall be deemed to be employment; but 616
if the services performed during more than one half of any such 617
pay period by an employee for the person employing that employee 618
do not constitute employment, then none of the services of such 619
employee for such period shall be deemed to be employment. As 620
used in division (B) (4) of this section, "pay period" means a 621
period, of not more than thirty-one consecutive days, for which 622
payment of remuneration is ordinarily made to the employee by 623
the person employing that employee. Division (B) (4) of this 624
section does not apply to services performed in a pay period by 625
an employee for the person employing that employee, if any of 626
such service is excepted by division (B) (3) (o) of this section. 627

(C) "Benefits" means money payments payable to an 628
individual who has established benefit rights, as provided in 629
this chapter, for loss of remuneration due to the individual's 630

unemployment. 631

(D) "Benefit rights" means the weekly benefit amount and 632
the maximum benefit amount that may become payable to an 633
individual within the individual's benefit year as determined by 634
the director. 635

(E) "Claim for benefits" means a claim for waiting period 636
or benefits for a designated week. 637

(F) "Additional claim" means the first claim for benefits 638
filed following any separation from employment during a benefit 639
year; "continued claim" means any claim other than the first 640
claim for benefits and other than an additional claim. 641

(G) "Wages" means remuneration paid to an employee by each 642
of the employee's employers with respect to employment; except 643
that wages shall not include that part of remuneration paid 644
during any calendar year to an individual by an employer or such 645
employer's predecessor in interest in the same business or 646
enterprise, which in any calendar year is in excess of nine 647
thousand dollars on and after January 1, 1995; nine thousand 648
five hundred dollars on and after January 1, 2018; ~~and~~ nine 649
thousand dollars on and after January 1, 2020; and nine thousand 650
five hundred dollars on and after January 1, 2024. Remuneration 651
in excess of such amounts shall be deemed wages subject to 652
contribution to the same extent that such remuneration is 653
defined as wages under the "Federal Unemployment Tax Act," 84 654
Stat. 714 (1970), 26 U.S.C.A. 3301 to 3311, as amended. The 655
remuneration paid an employee by an employer with respect to 656
employment in another state, upon which contributions were 657
required and paid by such employer under the unemployment 658
compensation act of such other state, shall be included as a 659
part of remuneration in computing the amount specified in this 660

division. 661

(H) (1) "Remuneration" means all compensation for personal 662
services, including commissions and bonuses and the cash value 663
of all compensation in any medium other than cash, except that 664
in the case of agricultural or domestic service, "remuneration" 665
includes only cash remuneration. Gratuities customarily received 666
by an individual in the course of the individual's employment 667
from persons other than the individual's employer and which are 668
accounted for by such individual to the individual's employer 669
are taxable wages. 670

The reasonable cash value of compensation paid in any 671
medium other than cash shall be estimated and determined in 672
accordance with rules prescribed by the director, provided that 673
"remuneration" does not include: 674

(a) Payments as provided in divisions (b) (2) to (b) (20) of 675
section 3306 of the "Federal Unemployment Tax Act," 84 Stat. 676
713, 26 U.S.C.A. 3301 to 3311, as amended; 677

(b) The payment by an employer, without deduction from the 678
remuneration of the individual in the employer's employ, of the 679
tax imposed upon an individual in the employer's employ under 680
section 3101 of the "Internal Revenue Code of 1954," with 681
respect to services performed after October 1, 1941. 682

(2) "Cash remuneration" means all remuneration paid in 683
cash, including commissions and bonuses, but not including the 684
cash value of all compensation in any medium other than cash. 685

(I) "Interested party" means the director and any party to 686
whom notice of a determination of an application for benefit 687
rights or a claim for benefits is required to be given under 688
section 4141.28 of the Revised Code. 689

(J) "Annual payroll" means the total amount of wages 690
subject to contributions during a twelve-month period ending 691
with the last day of the second calendar quarter of any calendar 692
year. 693

(K) "Average annual payroll" means the average of the last 694
three annual payrolls of an employer, provided that if, as of 695
any computation date, the employer has had less than three 696
annual payrolls in such three-year period, such average shall be 697
based on the annual payrolls which the employer has had as of 698
such date. 699

(L) (1) "Contributions" means the money payments to the 700
state unemployment compensation fund required of employers by 701
section 4141.25 of the Revised Code and of the state and any of 702
its political subdivisions electing to pay contributions under 703
section 4141.242 of the Revised Code. Employers paying 704
contributions shall be described as "contributory employers." 705

(2) "Payments in lieu of contributions" means the money 706
payments to the state unemployment compensation fund required of 707
reimbursing employers under sections 4141.241 and 4141.242 of 708
the Revised Code. 709

(M) An individual is "totally unemployed" in any week 710
during which the individual performs no services and with 711
respect to such week no remuneration is payable to the 712
individual. 713

(N) An individual is "partially unemployed" in any week 714
if, due to involuntary loss of work, the total remuneration 715
payable to the individual for such week is less than the 716
individual's weekly benefit amount. 717

(O) "Week" means the calendar week ending at midnight 718

Saturday unless an equivalent week of seven consecutive calendar days is prescribed by the director. 719
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(1) "Qualifying week" means any calendar week in an individual's base period with respect to which the individual earns or is paid remuneration in employment subject to this chapter. A calendar week with respect to which an individual earns remuneration but for which payment was not made within the base period, when necessary to qualify for benefit rights, may be considered to be a qualifying week. The number of qualifying weeks which may be established in a calendar quarter shall not exceed the number of calendar weeks in the quarter. 721
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(2) "Average weekly wage" means the amount obtained by dividing an individual's total remuneration for all qualifying weeks during the base period by the number of such qualifying weeks, provided that if the computation results in an amount that is not a multiple of one dollar, such amount shall be rounded to the next lower multiple of one dollar. 730
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(P) "Weekly benefit amount" means the amount of benefits an individual would be entitled to receive for one week of total unemployment. 736
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(Q) (1) "Base period" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year, except as provided in division (Q) (2) of this section. 739
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(2) If an individual does not have sufficient qualifying weeks and wages in the base period to qualify for benefit rights, the individual's base period shall be the four most recently completed calendar quarters preceding the first day of the individual's benefit year. Such base period shall be known 743
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as the "alternate base period." If information as to weeks and 748
wages for the most recent quarter of the alternate base period 749
is not available to the director from the regular quarterly 750
reports of wage information, which are systematically 751
accessible, the director may, consistent with the provisions of 752
section 4141.28 of the Revised Code, base the determination of 753
eligibility for benefits on the affidavit of the claimant with 754
respect to weeks and wages for that calendar quarter. The 755
claimant shall furnish payroll documentation, where available, 756
in support of the affidavit. The determination based upon the 757
alternate base period as it relates to the claimant's benefit 758
rights, shall be amended when the quarterly report of wage 759
information from the employer is timely received and that 760
information causes a change in the determination. As provided in 761
division (B) of section 4141.28 of the Revised Code, any 762
benefits paid and charged to an employer's account, based upon a 763
claimant's affidavit, shall be adjusted effective as of the 764
beginning of the claimant's benefit year. No calendar quarter in 765
a base period or alternate base period shall be used to 766
establish a subsequent benefit year. 767

(3) The "base period" of a combined wage claim, as 768
described in division (H) of section 4141.43 of the Revised 769
Code, shall be the base period prescribed by the law of the 770
state in which the claim is allowed. 771

(4) For purposes of determining the weeks that comprise a 772
completed calendar quarter under this division, only those weeks 773
ending at midnight Saturday within the calendar quarter shall be 774
utilized. 775

(R) (1) "Benefit year" with respect to an individual means 776
the fifty-two week period beginning with the first day of that 777

week with respect to which the individual first files a valid 778
application for determination of benefit rights, and thereafter 779
the fifty-two week period beginning with the first day of that 780
week with respect to which the individual next files a valid 781
application for determination of benefit rights after the 782
termination of the individual's last preceding benefit year, 783
except that the application shall not be considered valid unless 784
the individual has had employment in six weeks that is subject 785
to this chapter or the unemployment compensation act of another 786
state, or the United States, and has, since the beginning of the 787
individual's previous benefit year, in the employment earned 788
three times the average weekly wage determined for the previous 789
benefit year. The "benefit year" of a combined wage claim, as 790
described in division (H) of section 4141.43 of the Revised 791
Code, shall be the benefit year prescribed by the law of the 792
state in which the claim is allowed. Any application for 793
determination of benefit rights made in accordance with section 794
4141.28 of the Revised Code is valid if the individual filing 795
such application is unemployed, has been employed by an employer 796
or employers subject to this chapter in at least twenty 797
qualifying weeks within the individual's base period, and has 798
earned or been paid remuneration at an average weekly wage of 799
not less than twenty-seven and one-half per cent of the 800
statewide average weekly wage for such weeks. For purposes of 801
determining whether an individual has had sufficient employment 802
since the beginning of the individual's previous benefit year to 803
file a valid application, "employment" means the performance of 804
services for which remuneration is payable. 805

(2) Effective for benefit years beginning on and after 806
December 26, 2004, but before July 1, 2022, any application for 807
determination of benefit rights made in accordance with section 808

4141.28 of the Revised Code is valid if the individual satisfies 809
the criteria described in division (R) (1) of this section, and 810
if the reason for the individual's separation from employment is 811
not disqualifying pursuant to division (D) (2) of section 4141.29 812
or section 4141.291 of the Revised Code. A disqualification 813
imposed pursuant to division (D) (2) of section 4141.29 or 814
section 4141.291 of the Revised Code must be removed as provided 815
in those sections as a requirement of establishing a valid 816
application for benefit years beginning on and after December 817
26, 2004, but before July 1, 2022. Effective for benefit years 818
beginning on and after July 1, 2022, any application for 819
determination of benefit rights made in accordance with section 820
4141.28 of the Revised Code is valid if the individual satisfies 821
the criteria described in division (R) (1) of this section. A 822
disqualification imposed pursuant to division (D) (2) of section 823
4141.29 or section 4141.291 of the Revised Code does not affect 824
the validity of an application. 825

(3) The statewide average weekly wage shall be calculated 826
by the director once a year based on the twelve-month period 827
ending the thirtieth day of June, as set forth in ~~division (B)~~ 828
~~(3) of section 4141.30~~ 4141.02 of the Revised Code, rounded down 829
to the nearest dollar. Increases or decreases in the amount of 830
remuneration required to have been earned or paid in order for 831
individuals to have filed valid applications shall become 832
effective on Sunday of the calendar week in which the first day 833
of January occurs that follows the twelve-month period ending 834
the thirtieth day of June upon which the calculation of the 835
statewide average weekly wage was based. 836

(4) As used in this division, an individual is 837
"unemployed" if, with respect to the calendar week in which such 838
application is filed, the individual is "partially unemployed" 839

or "totally unemployed" as defined in this section or if, prior 840
to filing the application, the individual was separated from the 841
individual's most recent work for any reason which terminated 842
the individual's employee-employer relationship, or was laid off 843
indefinitely or for a definite period of seven or more days. 844

(S) "Calendar quarter" means the period of three 845
consecutive calendar months ending on the thirty-first day of 846
March, the thirtieth day of June, the thirtieth day of 847
September, and the thirty-first day of December, or the 848
equivalent thereof as the director prescribes by rule. 849

(T) "Computation date" means the first day of the third 850
calendar quarter of any calendar year. 851

(U) "Contribution period" means the calendar year 852
beginning on the first day of January of any year. 853

(V) "Agricultural labor," for the purpose of this 854
division, means any service performed prior to January 1, 1972, 855
which was agricultural labor as defined in this division prior 856
to that date, and service performed after December 31, 1971: 857

(1) On a farm, in the employ of any person, in connection 858
with cultivating the soil, or in connection with raising or 859
harvesting any agricultural or horticultural commodity, 860
including the raising, shearing, feeding, caring for, training, 861
and management of livestock, bees, poultry, and fur-bearing 862
animals and wildlife; 863

(2) In the employ of the owner or tenant or other operator 864
of a farm in connection with the operation, management, 865
conservation, improvement, or maintenance of such farm and its 866
tools and equipment, or in salvaging timber or clearing land of 867
brush and other debris left by hurricane, if the major part of 868

such service is performed on a farm; 869

(3) In connection with the production or harvesting of any 870
commodity defined as an agricultural commodity in section 15 (g) 871
of the "Agricultural Marketing Act," 46 Stat. 1550 (1931), 12 872
U.S.C. 1141j, as amended, or in connection with the ginning of 873
cotton, or in connection with the operation or maintenance of 874
ditches, canals, reservoirs, or waterways, not owned or operated 875
for profit, used exclusively for supplying and storing water for 876
farming purposes; 877

(4) In the employ of the operator of a farm in handling, 878
planting, drying, packing, packaging, processing, freezing, 879
grading, storing, or delivering to storage or to market or to a 880
carrier for transportation to market, in its unmanufactured 881
state, any agricultural or horticultural commodity, but only if 882
the operator produced more than one half of the commodity with 883
respect to which such service is performed; 884

(5) In the employ of a group of operators of farms, or a 885
cooperative organization of which the operators are members, in 886
the performance of service described in division (V) (4) of this 887
section, but only if the operators produced more than one-half 888
of the commodity with respect to which the service is performed; 889

(6) Divisions (V) (4) and (5) of this section shall not be 890
deemed to be applicable with respect to service performed: 891

(a) In connection with commercial canning or commercial 892
freezing or in connection with any agricultural or horticultural 893
commodity after its delivery to a terminal market for 894
distribution for consumption; or 895

(b) On a farm operated for profit if the service is not in 896
the course of the employer's trade or business. 897

As used in division (V) of this section, "farm" includes 898
stock, dairy, poultry, fruit, fur-bearing animal, and truck 899
farms, plantations, ranches, nurseries, ranges, greenhouses, or 900
other similar structures used primarily for the raising of 901
agricultural or horticultural commodities and orchards. 902

(W) "Hospital" means an institution which has been 903
registered or licensed by the Ohio department of health as a 904
hospital. 905

(X) "Nonprofit organization" means an organization, or 906
group of organizations, described in section 501(c)(3) of the 907
"Internal Revenue Code of 1954," and exempt from income tax 908
under section 501(a) of that code. 909

(Y) "Institution of higher education" means a public or 910
nonprofit educational institution, including an educational 911
institution operated by an Indian tribe, which: 912

(1) Admits as regular students only individuals having a 913
certificate of graduation from a high school, or the recognized 914
equivalent; 915

(2) Is legally authorized in this state or by the Indian 916
tribe to provide a program of education beyond high school; and 917

(3) Provides an educational program for which it awards a 918
bachelor's or higher degree, or provides a program which is 919
acceptable for full credit toward such a degree, a program of 920
post-graduate or post-doctoral studies, or a program of training 921
to prepare students for gainful employment in a recognized 922
occupation. 923

For the purposes of this division, all colleges and 924
universities in this state are institutions of higher education. 925

(Z) For the purposes of this chapter, "states" includes 926
the District of Columbia, the Commonwealth of Puerto Rico, and 927
the Virgin Islands. 928

(AA) "Alien" means, for the purposes of division (A) (1) (d) 929
of this section, an individual who is an alien admitted to the 930
United States to perform service in agricultural labor pursuant 931
to sections 214 (c) and 101 (a) (15) (H) of the "Immigration and 932
Nationality Act," 66 Stat. 163, 8 U.S.C.A. 1101. 933

(BB) (1) "Crew leader" means an individual who furnishes 934
individuals to perform agricultural labor for any other employer 935
or farm operator, and: 936

(a) Pays, either on the individual's own behalf or on 937
behalf of the other employer or farm operator, the individuals 938
so furnished by the individual for the service in agricultural 939
labor performed by them; 940

(b) Has not entered into a written agreement with the 941
other employer or farm operator under which the agricultural 942
worker is designated as in the employ of the other employer or 943
farm operator. 944

(2) For the purposes of this chapter, any individual who 945
is a member of a crew furnished by a crew leader to perform 946
service in agricultural labor for any other employer or farm 947
operator shall be treated as an employee of the crew leader if: 948

(a) The crew leader holds a valid certificate of 949
registration under the "Farm Labor Contractor Registration Act 950
of 1963," 90 Stat. 2668, 7 U.S.C. 2041; or 951

(b) Substantially all the members of the crew operate or 952
maintain tractors, mechanized harvesting or crop-dusting 953
equipment, or any other mechanized equipment, which is provided 954

by the crew leader; and 955

(c) If the individual is not in the employment of the 956
other employer or farm operator within the meaning of division 957
(B) (1) of this section. 958

(3) For the purposes of this division, any individual who 959
is furnished by a crew leader to perform service in agricultural 960
labor for any other employer or farm operator and who is not 961
treated as in the employment of the crew leader under division 962
(BB) (2) of this section shall be treated as the employee of the 963
other employer or farm operator and not of the crew leader. The 964
other employer or farm operator shall be treated as having paid 965
cash remuneration to the individual in an amount equal to the 966
amount of cash remuneration paid to the individual by the crew 967
leader, either on the crew leader's own behalf or on behalf of 968
the other employer or farm operator, for the service in 969
agricultural labor performed for the other employer or farm 970
operator. 971

(CC) "Educational institution" means an institution other 972
than an institution of higher education as defined in division 973
(Y) of this section, including an educational institution 974
operated by an Indian tribe, which: 975

(1) Offers participants, trainees, or students an 976
organized course of study or training designed to transfer to 977
them knowledge, skills, information, doctrines, attitudes, or 978
abilities from, by, or under the guidance of an instructor or 979
teacher; and 980

(2) Is approved, chartered, or issued a permit to operate 981
as a school by the state board of education, other government 982
agency, or Indian tribe that is authorized within the state to 983

approve, charter, or issue a permit for the operation of a 984
school. 985

For the purposes of this division, the courses of study or 986
training which the institution offers may be academic, 987
technical, trade, or preparation for gainful employment in a 988
recognized occupation. 989

(DD) "Cost savings day" means any unpaid day off from work 990
in which employees continue to accrue employee benefits which 991
have a determinable value including, but not limited to, 992
vacation, pension contribution, sick time, and life and health 993
insurance. 994

(EE) "Motor carrier" has the same meaning as in section 995
4923.01 of the Revised Code. 996

Sec. 4141.02. The director of job and family services 997
shall calculate the statewide average weekly wage based on the 998
average weekly earnings of all workers in employment subject to 999
this chapter during the preceding twelve-month period ending the 1000
thirtieth day of June. The calculation shall be made in the 1001
following manner: 1002

(A) The sum of the total monthly employment reported for 1003
the previous twelve-month period shall be divided by twelve to 1004
determine the average monthly employment. 1005

(B) The sum of the total wages reported for the previous 1006
twelve-month period shall be divided by the average monthly 1007
employment to determine the average annual wage. 1008

(C) The average annual wage shall be divided by fifty-two 1009
to determine the statewide average weekly wage. 1010

Sec. 4141.29. Each eligible individual shall receive 1011

benefits as compensation for loss of remuneration due to 1012
involuntary total or partial unemployment in the amounts and 1013
subject to the conditions stipulated in this chapter. 1014

(A) No individual is entitled to a waiting period or 1015
benefits for any week unless the individual: 1016

(1) Has filed a valid application for determination of 1017
benefit rights in accordance with section 4141.28 of the Revised 1018
Code; 1019

(2) Has made a claim for benefits in accordance with 1020
section 4141.28 of the Revised Code; 1021

(3) (a) Has registered for work and thereafter continues to 1022
report to an employment office or other registration place 1023
maintained or designated by the director of job and family 1024
services. Registration shall be made in accordance with the time 1025
limits, frequency, and manner prescribed by the director. 1026

(b) For purposes of division (A) (3) of this section, an 1027
individual has "registered" upon doing any of the following: 1028

(i) Filing an application for benefit rights; 1029

(ii) Making a weekly claim for benefits; 1030

(iii) Reopening an existing claim following a period of 1031
employment or nonreporting. 1032

(c) After an applicant is registered, that registration 1033
continues for a period of three calendar weeks, including the 1034
week during which the applicant registered. However, an 1035
individual is not registered for purposes of division (A) (3) of 1036
this section during any period in which the individual fails to 1037
report, as instructed by the director, or fails to reopen an 1038
existing claim following a period of employment. 1039

(d) The director may, for good cause, extend the period of registration. 1040
1041

(e) For purposes of this section, "report" means contact 1042
by phone, access electronically, or be present for an in-person 1043
appointment, as designated by the director. 1044

(4) (a) (i) Is able to work and available for suitable work 1045
and, except as provided in division (A) (4) (a) (ii) or (iii) of 1046
this section, is actively seeking suitable work either in a 1047
locality in which the individual has earned wages subject to 1048
this chapter during the individual's base period, or if the 1049
individual leaves that locality, then in a locality where 1050
suitable work normally is performed. 1051

(ii) The director may waive the requirement that a 1052
claimant be actively seeking work when the director finds that 1053
the individual has been laid off and the employer who laid the 1054
individual off has notified the director within ten days after 1055
the layoff, that work is expected to be available for the 1056
individual within a specified number of days not to exceed 1057
forty-five calendar days following the last day the individual 1058
worked. In the event the individual is not recalled within the 1059
specified period, this waiver shall cease to be operative with 1060
respect to that layoff. 1061

(iii) The director may waive the requirement that a 1062
claimant be actively seeking work if the director determines 1063
that the individual has been laid off and the employer who laid 1064
the individual off has notified the director in accordance with 1065
division (C) of section 4141.28 of the Revised Code that the 1066
employer has closed the employer's entire plant or part of the 1067
employer's plant for a purpose other than inventory or vacation 1068
that will cause unemployment for a definite period not exceeding 1069

twenty-six weeks beginning on the date the employer notifies the director, for the period of the specific shutdown, if all of the following apply:

(I) The employer and the individuals affected by the layoff who are claiming benefits under this chapter jointly request the exemption.

(II) The employer provides that the affected individuals shall return to work for the employer within twenty-six weeks after the date the employer notifies the director.

(III) The director determines that the waiver of the active search for work requirement will promote productivity and economic stability within the state.

(iv) Division (A) (4) (a) (iii) of this section does not exempt an individual from meeting the other requirements specified in division (A) (4) (a) (i) of this section to be able to work and otherwise fully be available for work. An exemption granted under division (A) (4) (a) (iii) of this section may be granted only with respect to a specific plant closing.

(b) (i) The individual shall be instructed as to the efforts that the individual must make in the search for suitable work, including that, within six months after October 11, 2013, the individual shall register with the OhioMeansJobs web site, except in any of the following circumstances:

(I) The individual is an individual described in division (A) (4) (b) (iii) of this section;

(II) Where the active search for work requirement has been waived under division (A) (4) (a) of this section;

(III) Where the active search for work requirement is

considered to be met under division (A) (4) (c), (d), or (e) of 1098
this section. 1099

(ii) An individual who is registered with the 1100
OhioMeansJobs web site shall receive a weekly listing of 1101
available jobs based on information provided by the individual 1102
at the time of registration. For each week that the individual 1103
claims benefits, the individual shall keep a record of the 1104
individual's work search efforts and shall produce that record 1105
in the manner and means prescribed by the director. 1106

(iii) No individual shall be required to register with the 1107
OhioMeansJobs web site if the individual is legally prohibited 1108
from using a computer, has a physical or visual impairment that 1109
makes the individual unable to use a computer, or has a limited 1110
ability to read, write, speak, or understand a language in which 1111
the OhioMeansJobs web site is available. 1112

(iv) As used in division (A) (4) (b) of this section: 1113

(I) "OhioMeansJobs web site" has the same meaning as in 1114
section 6301.01 of the Revised Code. 1115

(II) "Registration" includes the creation, electronic 1116
posting, and maintenance of an active, searchable resume. 1117

(c) An individual who is attending a training course 1118
approved by the director meets the requirement of this division, 1119
if attendance was recommended by the director and the individual 1120
is regularly attending the course and is making satisfactory 1121
progress. An individual also meets the requirements of this 1122
division if the individual is participating and advancing in a 1123
training program, as defined in division (P) of section 5709.61 1124
of the Revised Code, and if an enterprise, defined in division 1125
(B) of section 5709.61 of the Revised Code, is paying all or 1126

part of the cost of the individual's participation in the 1127
training program with the intention of hiring the individual for 1128
employment as a new employee, as defined in division (L) of 1129
section 5709.61 of the Revised Code, for at least ninety days 1130
after the individual's completion of the training program. 1131

(d) An individual who becomes unemployed while attending a 1132
regularly established school and whose base period qualifying 1133
weeks were earned in whole or in part while attending that 1134
school, meets the availability and active search for work 1135
requirements of division (A) (4) (a) of this section if the 1136
individual regularly attends the school during weeks with 1137
respect to which the individual claims unemployment benefits and 1138
makes self available on any shift of hours for suitable 1139
employment with the individual's most recent employer or any 1140
other employer in the individual's base period, or for any other 1141
suitable employment to which the individual is directed, under 1142
this chapter. 1143

(e) An individual who is a member in good standing with a 1144
labor organization that refers individuals to jobs meets the 1145
active search for work requirement specified in division (A) (4) 1146
(a) of this section if the individual provides documentation 1147
that the individual is eligible for a referral or placement upon 1148
request and in a manner prescribed by the director. 1149

(f) Notwithstanding any other provisions of this section, 1150
no otherwise eligible individual shall be denied benefits for 1151
any week because the individual is in training approved under 1152
section 236(a) (1) of the "Trade Act of 1974," 88 Stat. 1978, 19 1153
U.S.C.A. 2296, nor shall that individual be denied benefits by 1154
reason of leaving work to enter such training, provided the work 1155
left is not suitable employment, or because of the application 1156

to any week in training of provisions in this chapter, or any 1157
applicable federal unemployment compensation law, relating to 1158
availability for work, active search for work, or refusal to 1159
accept work. 1160

For the purposes of division (A)(4)(f) of this section, 1161
"suitable employment" means with respect to an individual, work 1162
of a substantially equal or higher skill level than the 1163
individual's past adversely affected employment, as defined for 1164
the purposes of the "Trade Act of 1974," 88 Stat. 1978, 19 1165
U.S.C.A. 2101, and wages for such work at not less than eighty 1166
per cent of the individual's average weekly wage as determined 1167
for the purposes of that federal act. 1168

(5) Is unable to obtain suitable work. An individual who 1169
is provided temporary work assignments by the individual's 1170
employer under agreed terms and conditions of employment, and 1171
who is required pursuant to those terms and conditions to 1172
inquire with the individual's employer for available work 1173
assignments upon the conclusion of each work assignment, is not 1174
considered unable to obtain suitable employment if suitable work 1175
assignments are available with the employer but the individual 1176
fails to contact the employer to inquire about work assignments. 1177

(6) Participates in reemployment services, such as job 1178
search assistance services, if the individual has been 1179
determined to be likely to exhaust benefits under this chapter, 1180
including compensation payable pursuant to 5 U.S.C.A. Chapter 1181
85, other than extended compensation, and needs reemployment 1182
services pursuant to the profiling system established by the 1183
director under division (K) of this section, unless the director 1184
determines that: 1185

(a) The individual has completed such services; or 1186

(b) There is justifiable cause for the claimant's failure to participate in such services. 1187
1188

Ineligibility for failure to participate in reemployment services as described in division (A)(6) of this section shall be for the week or weeks in which the claimant was scheduled and failed to participate without justifiable cause. 1189
1190
1191
1192

(7) Participates in the reemployment and eligibility assessment program, or other reemployment services, as required by the director. As used in division (A)(7) of this section, "reemployment services" includes job search assistance activities, skills assessments, and the provision of labor market statistics or analysis. 1193
1194
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(a) For purposes of division (A)(7) of this section, participation is required unless the director determines that either of the following circumstances applies to the individual: 1199
1200
1201

(i) The individual has completed similar services. 1202

(ii) Justifiable cause exists for the failure of the individual to participate in those services. 1203
1204

(b) Within six months after October 11, 2013, notwithstanding any earlier contact an individual may have had with a local OhioMeansJobs center, as defined in section 6301.01 of the Revised Code, beginning with the eighth week after the week during which an individual first files a valid application for determination of benefit rights in the individual's benefit year, the individual shall report to a local OhioMeansJobs center for reemployment services in the manner prescribed by the director. 1205
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(c) An individual whose active search for work requirement has been waived under division (A)(4)(a) of this section or is 1214
1215

considered to be satisfied under division (A) (4) (c), (d), or (e) 1216
of this section is exempt from the requirements of division (A) 1217
(7) of this section. 1218

(B) An individual suffering total or partial unemployment 1219
is eligible for benefits for unemployment occurring subsequent 1220
to a waiting period of one week and no benefits shall be payable 1221
during this required waiting period. Not more than one week of 1222
waiting period shall be required of any individual in any 1223
benefit year in order to establish the individual's eligibility 1224
for total or partial unemployment benefits. 1225

(C) The waiting period for total or partial unemployment 1226
shall commence on the first day of the first week with respect 1227
to which the individual first files a claim for benefits at an 1228
employment office or other place of registration maintained or 1229
designated by the director or on the first day of the first week 1230
with respect to which the individual has otherwise filed a claim 1231
for benefits in accordance with the rules of the department of 1232
job and family services, provided such claim is allowed by the 1233
director. 1234

(D) Notwithstanding division (A) of this section, no 1235
individual may serve a waiting period or be paid benefits under 1236
the following conditions: 1237

(1) For any week with respect to which the director finds 1238
that: 1239

(a) The individual's unemployment was due to a labor 1240
dispute other than a lockout at any factory, establishment, or 1241
other premises located in this or any other state and owned or 1242
operated by the employer by which the individual is or was last 1243
employed; and for so long as the individual's unemployment is 1244

due to such labor dispute. No individual shall be disqualified 1245
under this provision if either of the following applies: 1246

(i) The individual's employment was with such employer at 1247
any factory, establishment, or premises located in this state, 1248
owned or operated by such employer, other than the factory, 1249
establishment, or premises at which the labor dispute exists, if 1250
it is shown that the individual is not financing, participating 1251
in, or directly interested in such labor dispute; 1252

(ii) The individual's employment was with an employer not 1253
involved in the labor dispute but whose place of business was 1254
located within the same premises as the employer engaged in the 1255
dispute, unless the individual's employer is a wholly owned 1256
subsidiary of the employer engaged in the dispute, or unless the 1257
individual actively participates in or voluntarily stops work 1258
because of such dispute. If it is established that the claimant 1259
was laid off for an indefinite period and not recalled to work 1260
prior to the dispute, or was separated by the employer prior to 1261
the dispute for reasons other than the labor dispute, or that 1262
the individual obtained a bona fide job with another employer 1263
while the dispute was still in progress, such labor dispute 1264
shall not render the employee ineligible for benefits. 1265

(b) The individual has been given a disciplinary layoff 1266
for misconduct in connection with the individual's work. 1267

(2) For the duration of the individual's unemployment if 1268
the director finds that: 1269

(a) The individual quit work without just cause or has 1270
been discharged for just cause in connection with the 1271
individual's work, provided division (D)(2) of this section does 1272
not apply to the separation of a person under any of the 1273

following circumstances: 1274

(i) Separation from employment for the purpose of entering 1275
the armed forces of the United States if the individual is 1276
inducted into the armed forces within one of the following 1277
periods: 1278

(I) Thirty days after separation; 1279

(II) One hundred eighty days after separation if the 1280
individual's date of induction is delayed solely at the 1281
discretion of the armed forces. 1282

(ii) Separation from employment pursuant to a labor- 1283
management contract or agreement, or pursuant to an established 1284
employer plan, program, or policy, which permits the employee, 1285
because of lack of work, to accept a separation from employment; 1286

(iii) The individual has left employment to accept a 1287
recall from a prior employer or, except as provided in division 1288
(D) (2) (a) (iv) of this section, to accept other employment as 1289
provided under section 4141.291 of the Revised Code, or left or 1290
was separated from employment that was concurrent employment at 1291
the time of the most recent separation or within six weeks prior 1292
to the most recent separation where the remuneration, hours, or 1293
other conditions of such concurrent employment were 1294
substantially less favorable than the individual's most recent 1295
employment and where such employment, if offered as new work, 1296
would be considered not suitable under the provisions of 1297
divisions (E) and (F) of this section. Any benefits that would 1298
otherwise be chargeable to the account of the employer from whom 1299
an individual has left employment or was separated from 1300
employment that was concurrent employment under conditions 1301
described in division (D) (2) (a) (iii) of this section, shall 1302

instead be charged to the mutualized account created by division 1303
(B) of section 4141.25 of the Revised Code, except that any 1304
benefits chargeable to the account of a reimbursing employer 1305
under division (D) (2) (a) (iii) of this section shall be charged 1306
to the account of the reimbursing employer and not to the 1307
mutualized account, except as provided in division (D) (2) of 1308
section 4141.24 of the Revised Code. 1309

(iv) When an individual has been issued a definite layoff 1310
date by the individual's employer and before the layoff date, 1311
the individual quits to accept other employment, the provisions 1312
of division (D) (2) (a) (iii) of this section apply and no 1313
disqualification shall be imposed under division (D) of this 1314
section. However, if the individual fails to meet the employment 1315
and earnings requirements of division (A) (2) of section 4141.291 1316
of the Revised Code, then the individual, pursuant to division 1317
(A) (5) of this section, shall be ineligible for benefits for any 1318
week of unemployment that occurs prior to the layoff date. 1319

(v) The individual's spouse is a member of the armed 1320
forces of the United States who is on active duty or a member of 1321
the commissioned corps of the national oceanic and atmospheric 1322
administration or public health service, the spouse is the 1323
subject of a transfer, the individual left employment to 1324
accompany the individual's spouse to a location from which it is 1325
impractical to commute to the individual's place of employment, 1326
and upon arrival at the new place of residence, the individual 1327
is in all respects able and available for suitable work. For 1328
~~purpose~~ purposes of division (D) (2) (a) (v) of this section, 1329
"active duty" and "armed forces" have the same meanings as in 10 1330
U.S.C. 101. 1331

(b) The individual has refused without good cause to 1332

accept an offer of suitable work when made by an employer either 1333
in person or to the individual's last known address, or has 1334
refused or failed to investigate a referral to suitable work 1335
when directed to do so by a local employment office of this 1336
state or another state, provided that this division shall not 1337
cause a disqualification for a waiting week or benefits under 1338
the following circumstances: 1339

(i) When work is offered by the individual's employer and 1340
the individual is not required to accept the offer pursuant to 1341
the terms of the labor-management contract or agreement; or 1342

(ii) When the individual is attending a training course 1343
pursuant to division (A) (4) of this section except, in the event 1344
of a refusal to accept an offer of suitable work or a refusal or 1345
failure to investigate a referral, benefits thereafter paid to 1346
such individual shall not be charged to the account of any 1347
employer and, except as provided in division (B) (1) (b) of 1348
section 4141.241 of the Revised Code, shall be charged to the 1349
mutualized account as provided in division (B) of section 1350
4141.25 of the Revised Code. 1351

(c) Such individual quit work to marry or because of 1352
marital, parental, filial, or other domestic obligations. 1353

(d) The individual became unemployed by reason of 1354
commitment to any correctional institution. 1355

(e) The individual became unemployed because of dishonesty 1356
in connection with the individual's most recent or any base 1357
period work. Remuneration earned in such work shall be excluded 1358
from the individual's total base period remuneration and 1359
qualifying weeks that otherwise would be credited to the 1360
individual for such work in the individual's base period shall 1361

not be credited for the purpose of determining the total 1362
benefits to which the individual is eligible and the weekly 1363
benefit amount to be paid under section 4141.30 of the Revised 1364
Code. Such excluded remuneration and noncredited qualifying 1365
weeks shall be excluded from the calculation of the maximum 1366
amount to be charged, under division (D) of section 4141.24 and 1367
section 4141.33 of the Revised Code, against the accounts of the 1368
individual's base period employers. In addition, no benefits 1369
shall thereafter be paid to the individual based upon such 1370
excluded remuneration or noncredited qualifying weeks. 1371

For purposes of division (D) (2) (e) of this section, 1372
"dishonesty" means the commission of substantive theft, fraud, 1373
or deceitful acts. 1374

(E) No individual otherwise qualified to receive benefits 1375
shall lose the right to benefits by reason of a refusal to 1376
accept new work if: 1377

(1) As a condition of being so employed the individual 1378
would be required to join a company union, or to resign from or 1379
refrain from joining any bona fide labor organization, or would 1380
be denied the right to retain membership in and observe the 1381
lawful rules of any such organization. 1382

(2) The position offered is vacant due directly to a 1383
strike, lockout, or other labor dispute. 1384

(3) The work is at an unreasonable distance from the 1385
individual's residence, having regard to the character of the 1386
work the individual has been accustomed to do, and travel to the 1387
place of work involves expenses substantially greater than that 1388
required for the individual's former work, unless the expense is 1389
provided for. 1390

(4) The remuneration, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality.

(F) Subject to the special exceptions contained in division (A) (4) (f) of this section and section 4141.301 of the Revised Code, in determining whether any work is suitable for a claimant in the administration of this chapter, the director, in addition to the determination required under division (E) of this section, shall consider the degree of risk to the claimant's health, safety, and morals, the individual's physical fitness for the work, the individual's prior training and experience, the length of the individual's unemployment, the distance of the available work from the individual's residence, and the individual's prospects for obtaining local work.

(G) The "duration of unemployment" as used in this section means the full period of unemployment next ensuing after a separation from any base period or subsequent work and until an individual has become reemployed in employment subject to this chapter, or the unemployment compensation act of another state, or of the United States, and until such individual has worked six weeks and for those weeks has earned or been paid remuneration equal to six times an average weekly wage of not less than: eighty-five dollars and ten cents per week beginning on June 26, 1990; and beginning on and after January 1, 1992, twenty-seven and one-half per cent of the statewide average weekly wage as computed each first day of January under ~~division (B) (3) of section 4141.30~~ 4141.02 of the Revised Code, rounded down to the nearest dollar, except for purposes of division (D) (2) (c) of this section, such term means the full period of unemployment next ensuing after a separation from such work and until such individual has become reemployed subject to the terms

set forth above, and has earned wages equal to one-half of the 1422
individual's average weekly wage or sixty dollars, whichever is 1423
less. 1424

(H) If a claimant is disqualified under division (D) (2) 1425
(a), (c), or (d) of this section or found to be qualified under 1426
the exceptions provided in division (D) (2) (a) (i), (iii), (iv), 1427
or (v) of this section or division (A) (2) of section 4141.291 of 1428
the Revised Code, then benefits that may become payable to such 1429
claimant, which are chargeable to the account of the employer 1430
from whom the individual was separated under such conditions, 1431
shall be charged to the mutualized account provided in section 1432
4141.25 of the Revised Code, provided that no charge shall be 1433
made to the mutualized account for benefits chargeable to a 1434
reimbursing employer, except as provided in division (D) (2) of 1435
section 4141.24 of the Revised Code. In the case of a 1436
reimbursing employer, the director shall refund or credit to the 1437
account of the reimbursing employer any over-paid benefits that 1438
are recovered under division (B) of section 4141.35 of the 1439
Revised Code. Amounts chargeable to other states, the United 1440
States, or Canada that are subject to agreements and 1441
arrangements that are established pursuant to section 4141.43 of 1442
the Revised Code shall be credited or reimbursed according to 1443
the agreements and arrangements to which the chargeable amounts 1444
are subject. 1445

(I) (1) Benefits based on service in employment as provided 1446
in divisions (B) (2) (a) and (b) of section 4141.01 of the Revised 1447
Code shall be payable in the same amount, on the same terms, and 1448
subject to the same conditions as benefits payable on the basis 1449
of other service subject to this chapter; except that after 1450
December 31, 1977: 1451

(a) Benefits based on service in an instructional, 1452
research, or principal administrative capacity in an institution 1453
of higher education, as defined in division (Y) of section 1454
4141.01 of the Revised Code; or for an educational institution 1455
as defined in division (CC) of section 4141.01 of the Revised 1456
Code, shall not be paid to any individual for any week of 1457
unemployment that begins during the period between two 1458
successive academic years or terms, or during a similar period 1459
between two regular but not successive terms or during a period 1460
of paid sabbatical leave provided for in the individual's 1461
contract, if the individual performs such services in the first 1462
of those academic years or terms and has a contract or a 1463
reasonable assurance that the individual will perform services 1464
in any such capacity for any such institution in the second of 1465
those academic years or terms. 1466

(b) Benefits based on service for an educational 1467
institution or an institution of higher education in other than 1468
an instructional, research, or principal administrative 1469
capacity, shall not be paid to any individual for any week of 1470
unemployment which begins during the period between two 1471
successive academic years or terms of the employing educational 1472
institution or institution of higher education, provided the 1473
individual performed those services for the educational 1474
institution or institution of higher education during the first 1475
such academic year or term and, there is a reasonable assurance 1476
that such individual will perform those services for any 1477
educational institution or institution of higher education in 1478
the second of such academic years or terms. 1479

If compensation is denied to any individual for any week 1480
under division (I) (1) (b) of this section and the individual was 1481
not offered an opportunity to perform those services for an 1482

institution of higher education or for an educational 1483
institution for the second of such academic years or terms, the 1484
individual is entitled to a retroactive payment of compensation 1485
for each week for which the individual timely filed a claim for 1486
compensation and for which compensation was denied solely by 1487
reason of division (I) (1) (b) of this section. An application for 1488
retroactive benefits shall be timely filed if received by the 1489
director or the director's deputy within or prior to the end of 1490
the fourth full calendar week after the end of the period for 1491
which benefits were denied because of reasonable assurance of 1492
employment. The provision for the payment of retroactive 1493
benefits under division (I) (1) (b) of this section is applicable 1494
to weeks of unemployment beginning on and after November 18, 1495
1983. The provisions under division (I) (1) (b) of this section 1496
shall be retroactive to September 5, 1982, only if, as a 1497
condition for full tax credit against the tax imposed by the 1498
"Federal Unemployment Tax Act," 53 Stat. 183 (1939), 26 U.S.C.A. 1499
3301 to 3311, the United States secretary of labor determines 1500
that retroactivity is required by federal law. 1501

(c) With respect to weeks of unemployment beginning after 1502
December 31, 1977, benefits shall be denied to any individual 1503
for any week which commences during an established and customary 1504
vacation period or holiday recess, if the individual performs 1505
any services described in divisions (I) (1) (a) and (b) of this 1506
section in the period immediately before the vacation period or 1507
holiday recess, and there is a reasonable assurance that the 1508
individual will perform any such services in the period 1509
immediately following the vacation period or holiday recess. 1510

(d) With respect to any services described in division (I) 1511
(1) (a), (b), or (c) of this section, benefits payable on the 1512
basis of services in any such capacity shall be denied as 1513

specified in division (I) (1) (a), (b), or (c) of this section to 1514
any individual who performs such services in an educational 1515
institution or institution of higher education while in the 1516
employ of an educational service agency. For this purpose, the 1517
term "educational service agency" means a governmental agency or 1518
governmental entity that is established and operated exclusively 1519
for the purpose of providing services to one or more educational 1520
institutions or one or more institutions of higher education. 1521

(e) Any individual employed by a county board of 1522
developmental disabilities shall be notified by the thirtieth 1523
day of April each year if the individual is not to be reemployed 1524
the following academic year. 1525

(f) Any individual employed by a school district, other 1526
than a municipal school district as defined in section 3311.71 1527
of the Revised Code, shall be notified by the first day of June 1528
each year if the individual is not to be reemployed the 1529
following academic year. 1530

(2) No disqualification will be imposed, between academic 1531
years or terms or during a vacation period or holiday recess 1532
under this division, unless the director or the director's 1533
deputy has received a statement in writing from the educational 1534
institution or institution of higher education that the claimant 1535
has a contract for, or a reasonable assurance of, reemployment 1536
for the ensuing academic year or term. 1537

(3) If an individual has employment with an educational 1538
institution or an institution of higher education and employment 1539
with a noneducational employer, during the base period of the 1540
individual's benefit year, then the individual may become 1541
eligible for benefits during the between-term, or vacation or 1542
holiday recess, disqualification period, based on employment 1543

performed for the noneducational employer, provided that the 1544
employment is sufficient to qualify the individual for benefit 1545
rights separately from the benefit rights based on school 1546
employment. The weekly benefit amount and maximum benefits 1547
payable during a disqualification period shall be computed based 1548
solely on the nonschool employment. 1549

(J) Benefits shall not be paid on the basis of employment 1550
performed by an alien, unless the alien had been lawfully 1551
admitted to the United States for permanent residence at the 1552
time the services were performed, was lawfully present for 1553
purposes of performing the services, or was otherwise 1554
permanently residing in the United States under color of law at 1555
the time the services were performed, under section 212(d) (5) of 1556
the "Immigration and Nationality Act," 66 Stat. 163, 8 U.S.C.A. 1557
1101: 1558

(1) Any data or information required of individuals 1559
applying for benefits to determine whether benefits are not 1560
payable to them because of their alien status shall be uniformly 1561
required from all applicants for benefits. 1562

(2) In the case of an individual whose application for 1563
benefits would otherwise be approved, no determination that 1564
benefits to the individual are not payable because of the 1565
individual's alien status shall be made except upon a 1566
preponderance of the evidence that the individual had not, in 1567
fact, been lawfully admitted to the United States. 1568

(K) The director shall establish and utilize a system of 1569
profiling all new claimants under this chapter that: 1570

(1) Identifies which claimants will be likely to exhaust 1571
regular compensation and will need job search assistance 1572

services to make a successful transition to new employment;	1573
(2) Refers claimants identified pursuant to division (K)	1574
(1) of this section to reemployment services, such as job search	1575
assistance services, available under any state or federal law;	1576
(3) Collects follow-up information relating to the	1577
services received by such claimants and the employment outcomes	1578
for such claimant's subsequent to receiving such services and	1579
utilizes such information in making identifications pursuant to	1580
division (K) (1) of this section; and	1581
(4) Meets such other requirements as the United States	1582
secretary of labor determines are appropriate.	1583
(L) Except as otherwise provided in division (A) (6) of	1584
this section, ineligibility pursuant to division (A) of this	1585
section shall begin on the first day of the week in which the	1586
claimant becomes ineligible for benefits and shall end on the	1587
last day of the week preceding the week in which the claimant	1588
satisfies the eligibility requirements.	1589
(M) The director may adopt rules that the director	1590
considers necessary for the administration of division (A) of	1591
this section.	1592
Sec. 4141.30. (A) <u>As used in this section, "statewide</u>	1593
<u>average weekly wage" means the amount calculated by the director</u>	1594
<u>of job and family services pursuant to section 4141.02 of the</u>	1595
<u>Revised Code.</u>	1596
<u>(B) All benefits shall be paid through public employment</u>	1597
<u>offices in accordance with such rules as the director of job and</u>	1598
<u>family services prescribes.</u>	1599
(B) With the exceptions in division (B) (4) of this	1600

~~section, benefits—~~(C) Benefits are payable to each eligible and 1601
qualified individual on account of each week of involuntary 1602
total unemployment after the specified waiting period at the 1603
weekly benefit amount determined by: 1604

(1) Computing the individual's average weekly wage as 1605
defined in division (O) (2) of section 4141.01 of the Revised 1606
Code; 1607

~~(2) Determining the individual's dependency class under~~ 1608
~~division (E) of this section;~~ 1609

~~(3) Computing the individual's weekly benefit amount to be~~ 1610
~~fifty per cent of the individual's average weekly wage except,~~ 1611
~~that the individual's weekly benefit amount shall not exceed the~~ 1612
~~maximum amount shown for the individual's dependency class in~~ 1613
~~the following table:~~ 1614

1615

	1	2	
A	Dependency Class	Maximum Weekly Benefit Amount	
B	A		\$147
C	B	223	
D	C	233	

~~Effective Sunday of the calendar week in which January 1,~~ 1616
~~1988, occurs and on each similar day of each year thereafter,~~ 1617
~~the current maximum weekly benefit amount for each dependency~~ 1618
~~class shall be adjusted based on the statewide average weekly~~ 1619
~~wage. Any percentage increase in such statewide average weekly~~ 1620

~~wage between the wage computed for the current year and the wage
computed for the preceding year shall be used to increase the
maximum amounts then in effect by the same percentage. Such
increased amounts will be effective with respect to applications
for benefit rights filed during the fifty two consecutive
calendar weeks beginning with such Sunday date.~~

~~The director shall calculate the statewide average weekly
wage based on the average weekly earnings of all workers in
employment subject to this chapter during the preceding twelve
month period ending the thirtieth day of June. The calculation
shall be made in the following manner:~~

~~(a) The sum of the total monthly employment reported for
the previous twelve month period shall be divided by twelve to
determine the average monthly employment;~~

~~(b) The sum of the total wages reported for the previous
twelve month period shall be divided by the average monthly
employment to determine the average annual wage;~~

~~(c) The average annual wage shall be divided by fifty two
to determine the statewide average weekly wage described in
division (D) of this section.~~

In the computation of the weekly benefit amount, any
resulting amount not a multiple of one dollar shall be rounded
to the next lower multiple of one dollar. In the computation of
the adjusted maximum benefit amounts, based on the statewide
average weekly wage, any resulting amount not a multiple of one
dollar shall be rounded to the next lower multiple of one
dollar.

~~(4) Effective Sunday of the calendar week in which January
1, occurs for calendar years 1988 through 1993, the maximum~~

~~weekly benefit amount payable for an individual's dependency class for those years shall be computed in accordance with this division, with an additional increase added to the prior year's increase equal to one sixth of total percentage increase that otherwise would have been available in calendar years 1983, 1984, 1985, 1986, and 1987, if in those years an adjustment in the maximum weekly benefit amount would have been made pursuant to this division.~~

~~(5) Effective Sunday of the calendar week in which January 1, 1991, occurs, the maximum weekly benefit amounts computed under divisions (B) (3) and (4) of this section shall not exceed the following amounts:~~

~~(a) For dependency class A, fifty per cent of the statewide average weekly wage;~~

~~(b) For dependency class B, sixty per cent of the statewide average weekly wage;~~

~~(c) For dependency class C, sixty six and two thirds per cent of the statewide average weekly wage.~~

~~Division (B) (5) of this section applies to all new claims filed on and after the Sunday of the calendar week in which January 1, 1991, occurs, provided that the maximum weekly benefit amounts established for the dependency classes prior to such date apply to all claims until the maximum weekly benefit amounts as determined pursuant to division (B) (5) of this section equal or exceed the maximum weekly benefit amounts in effect prior to such date.~~

~~(6) For the time period beginning on January 1, 2018, and ending January 1, 2020, no individual's weekly benefit amount shall exceed the maximum weekly benefit amounts in effect on the~~

~~effective date of this section.~~ 1679

~~(C)~~ (D) For any benefit year beginning on or after the 1680
effective date of this amendment, no individual's weekly benefit 1681
amount shall exceed fifty per cent of the statewide average 1682
weekly wage. 1683

(E) Benefits are payable to each partially unemployed 1684
individual otherwise eligible on account of each week of 1685
involuntary partial unemployment after the specified waiting 1686
period in an amount equal to the individual's weekly benefit 1687
amount less that part of the remuneration payable to the 1688
individual with respect to such week which is in excess of 1689
twenty per cent of the individual's weekly benefit amount, and 1690
the resulting amount rounded to the next lower multiple of one 1691
dollar. 1692

~~(D) The~~ (F) (1) For any benefit year beginning on or after 1693
the effective date of this amendment, the director shall 1694
determine the maximum number of weeks for which an individual 1695
may receive benefits based on the adjusted unemployment rate 1696
that applies to the six-month period during which the 1697
application for a determination of benefit rights is filed, in 1698
accordance with the following schedule: 1699

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A	<u>Adjusted unemployment rate</u>	<u>Maximum number of weeks</u>
B	<u>5.5% or below</u>	<u>12</u>

C	<u>Greater than 5.5% to 6%</u>	<u>13</u>
D	<u>Greater than 6% to 6.5%</u>	<u>14</u>
E	<u>Greater than 6.5% to 7%</u>	<u>15</u>
F	<u>Greater than 7% to 7.5%</u>	<u>16</u>
G	<u>Greater than 7.5% to 8%</u>	<u>17</u>
H	<u>Greater than 8% to 8.5%</u>	<u>18</u>
I	<u>Greater than 8.5% to 9%</u>	<u>19</u>
J	<u>Greater than 9%</u>	<u>20</u>

(2) For purposes of division (F) of this section: 1702

(a) The first six-month period of every year begins on the 1703
first day of January and ends on the thirtieth day of June. 1704

The second six-month period begins on the first day of 1705
July and ends on the thirty-first day of December. 1706

(b) To determine the adjusted unemployment rate in effect 1707
for the first period of a year, the director shall average the 1708
state's seasonally adjusted unemployment rates, as determined by 1709
the United States department of labor, for the immediately 1710
preceding months of July, August, and September. 1711

(c) To determine the adjusted unemployment rate in effect 1712
for the second period of the year, the director shall average 1713
the state's seasonally adjusted unemployment rates, as 1714
determined by the United States department of labor, for the 1715
immediately preceding months of January, February, and March. 1716

(G) (1) In any benefit year that begins before the 1717
effective date of this amendment, the total benefits to which an 1718
individual is entitled in any benefit year, whether for partial 1719
or total unemployment, or both, shall not exceed the lesser of 1720
the following two amounts: (1) an amount equal to twenty-six 1721
times the individual's weekly benefit amount determined in 1722
accordance with division ~~(B)~~ (C) of this section and this 1723
division, or (2) an amount computed by taking the sum of twenty 1724
times the individual's weekly benefit amount for the first 1725
twenty base period qualifying weeks plus one times the weekly 1726
benefit amount for each additional qualifying week beyond the 1727
first twenty qualifying weeks in the individual's base period. 1728

(2) In any benefit year that begins on or after the 1729
effective date of this amendment, the total benefits to which an 1730
individual is entitled, whether for partial or total 1731
unemployment, or both, shall not exceed an amount equal to the 1732
maximum number of weeks to which an individual may receive 1733
benefits under division (F) of this section times the 1734
individual's weekly benefit amount determined in accordance with 1735
division (C) of this section. 1736

~~(E) Each eligible and qualified individual shall be~~ 1737
~~assigned a dependency class in accordance with the following~~ 1738
~~schedule:~~ 1739

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A Class Description of Dependents

B A No dependents, or has insufficient wages to qualify for

~~more than the maximum weekly benefit amount as provided
under dependency class A~~

C B ~~One or two dependents~~

D C ~~Three or more dependents~~

~~As used in this division "dependent" means:~~ 1741

~~(1) Any natural child, stepchild, or adopted child of the
individual claiming benefits for whom such individual at the
beginning of the individual's current benefit year is supplying
and for at least ninety consecutive days, or for the duration of
the parental relationship if it existed less than ninety days,
immediately preceding the beginning of such benefit year, has
supplied more than one half of the cost of support and if such
child on the beginning date of such benefit year was under
eighteen years of age, or if unable to work because of permanent
physical or mental disability;~~ 1742
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~~(2) The legally married wife or husband of the individual
claiming benefits for whom more than one half the cost of
support has been supplied by such individual for at least ninety
consecutive days, or for the duration of the marital
relationship if it has existed for less than ninety days,
immediately preceding the beginning of such individual's current
benefit year and such wife or husband was living with such
individual and had an average weekly income, in such period, not
in excess of twenty five per cent of the claimant's average
weekly wage.~~ 1752
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~~(3) If both the husband and wife qualify for benefit
rights with overlapping benefit years, only one of them may
qualify for a dependency class other than A.~~ 1762
1763
1764

Sec. 4141.43. (A) The director of job and family services 1765
may cooperate with the industrial commission, the bureau of 1766
workers' compensation, the United States internal revenue 1767
service, the United States employment service, and other similar 1768
departments and agencies, as determined by the director, in the 1769
exchange or disclosure of information as to wages, employment, 1770
payrolls, unemployment, and other information. The director may 1771
employ, jointly with one or more of such agencies or 1772
departments, auditors, examiners, inspectors, and other 1773
employees necessary for the administration of this chapter and 1774
employment and training services for workers in the state. 1775

(B) The director may make the state's record relating to 1776
the administration of this chapter available to the railroad 1777
retirement board and may furnish the board at the board's 1778
expense such copies thereof as the board deems necessary for its 1779
purposes. 1780

(C) The director may afford reasonable cooperation with 1781
every agency of the United States charged with the 1782
administration of any unemployment compensation law. 1783

(D) The director may enter into arrangements with the 1784
appropriate agencies of other states or of the United States or 1785
Canada whereby individuals performing services in this and other 1786
states for a single employer under circumstances not 1787
specifically provided for in division (B) of section 4141.01 of 1788
the Revised Code or in similar provisions in the unemployment 1789
compensation laws of such other states shall be deemed to be 1790
engaged in employment performed entirely within this state or 1791
within one of such other states or within Canada, and whereby 1792
potential rights to benefits accumulated under the unemployment 1793
compensation laws of several states or under such a law of the 1794

United States, or both, or of Canada may constitute the basis 1795
for the payment of benefits through a single appropriate agency 1796
under terms that the director finds will be fair and reasonable 1797
as to all affected interests and will not result in any 1798
substantial loss to the unemployment compensation fund. 1799

(E) The director may enter into agreements with the 1800
appropriate agencies of other states or of the United States or 1801
Canada: 1802

(1) Whereby services or wages upon the basis of which an 1803
individual may become entitled to benefits under the 1804
unemployment compensation law of another state or of the United 1805
States or Canada shall be deemed to be employment or wages for 1806
employment by employers for the purposes of qualifying claimants 1807
for benefits under this chapter, and the director may estimate 1808
the number of weeks of employment represented by the wages 1809
reported to the director for such claimants by such other 1810
agency, provided such other state agency or agency of the United 1811
States or Canada has agreed to reimburse the unemployment 1812
compensation fund for such portion of benefits paid under this 1813
chapter upon the basis of such services or wages as the director 1814
finds will be fair and reasonable as to all affected interests; 1815

(2) Whereby the director will reimburse other state or 1816
federal or Canadian agencies charged with the administration of 1817
unemployment compensation laws with such reasonable portion of 1818
benefits, paid under the law of such other states or of the 1819
United States or of Canada upon the basis of employment or wages 1820
for employment by employers, as the director finds will be fair 1821
and reasonable as to all affected interests. Reimbursements so 1822
payable shall be deemed to be benefits for the purpose of 1823
section 4141.09 and division ~~(A)~~ (B) of section 4141.30 of the 1824

Revised Code. However, no reimbursement so payable shall be 1825
charged against any employer's account for the purposes of 1826
section 4141.24 of the Revised Code if the employer's account, 1827
under the same or similar circumstances, with respect to 1828
benefits charged under the provisions of this chapter, other 1829
than this section, would not be charged or, if the claimant at 1830
the time the claimant files the combined wage claim cannot 1831
establish benefit rights under this chapter. This noncharging 1832
shall not be applicable to a nonprofit organization that has 1833
elected to make payments in lieu of contributions under section 1834
4141.241 of the Revised Code, except as provided in division (D) 1835
(2) of section 4141.24 of the Revised Code. The director may 1836
make to other state or federal or Canadian agencies and receive 1837
from such other state or federal or Canadian agencies 1838
reimbursements from or to the unemployment compensation fund, in 1839
accordance with arrangements pursuant to this section. 1840

(3) Notwithstanding division (B) (2) (f) of section 4141.01 1841
of the Revised Code, the director may enter into agreements with 1842
other states whereby services performed for a crew leader, as 1843
defined in division (BB) of section 4141.01 of the Revised Code, 1844
may be covered in the state in which the crew leader either: 1845

(a) Has the crew leader's place of business or from which 1846
the crew leader's business is operated or controlled; 1847

(b) Resides if the crew leader has no place of business in 1848
any state. 1849

(F) The director may apply for an advance to the 1850
unemployment compensation fund and do all things necessary or 1851
required to obtain such advance and arrange for the repayment of 1852
such advance in accordance with Title XII of the "Social 1853
Security Act" as amended. 1854

(G) The director may enter into reciprocal agreements or 1855
arrangements with the appropriate agencies of other states in 1856
regard to services on vessels engaged in interstate or foreign 1857
commerce whereby such services for a single employer, wherever 1858
performed, shall be deemed performed within this state or within 1859
such other states. 1860

(H) The director shall participate in any arrangements for 1861
the payment of compensation on the basis of combining an 1862
individual's wages and employment, covered under this chapter, 1863
with the individual's wages and employment covered under the 1864
unemployment compensation laws of other states which are 1865
approved by the United States secretary of labor in consultation 1866
with the state unemployment compensation agencies as reasonably 1867
calculated to assure the prompt and full payment of compensation 1868
in such situations and which include provisions for: 1869

(1) Applying the base period of a single state law to a 1870
claim involving the combining of an individual's wages and 1871
employment covered under two or more state unemployment 1872
compensation laws, and 1873

(2) Avoiding the duplicate use of wages and employment by 1874
reason of such combining. 1875

(I) The director shall cooperate with the United States 1876
department of labor to the fullest extent consistent with this 1877
chapter, and shall take such action, through the adoption of 1878
appropriate rules, regulations, and administrative methods and 1879
standards, as may be necessary to secure to this state and its 1880
citizens all advantages available under the provisions of the 1881
"Social Security Act" that relate to unemployment compensation, 1882
the "Federal Unemployment Tax Act," (1970) 84 Stat. 713, 26 1883
U.S.C.A. 3301 to 3311, the "Wagner-Peyser Act," (1933) 48 Stat. 1884

113, 29 U.S.C.A. 49, the "Federal-State Extended Unemployment 1885
Compensation Act of 1970," 84 Stat. 596, 26 U.S.C.A. 3306, and 1886
the "Workforce Innovation and Opportunity Act," 29 U.S.C.A. 3101 1887
et seq. 1888

(J) The director may disclose wage information furnished 1889
to or maintained by the director under Chapter 4141. of the 1890
Revised Code to a consumer reporting agency as defined by the 1891
"Fair Credit Reporting Act," 84 Stat. 1128, 15 U.S.C.A. 1681a, 1892
as amended, for the purpose of verifying an individual's income 1893
under a written agreement that requires all of the following: 1894

(1) A written statement of informed consent from the 1895
individual whose information is to be disclosed; 1896

(2) A written statement confirming that the consumer 1897
reporting agency and any other entity to which the information 1898
is disclosed or released will safeguard the information from 1899
illegal or unauthorized disclosure; 1900

(3) A written statement confirming that the consumer 1901
reporting agency will pay to the bureau all costs associated 1902
with the disclosure. 1903

The director shall prescribe a manner and format in which 1904
this information may be provided. 1905

(K) The director shall adopt rules defining the 1906
requirements of the release of individual income verification 1907
information specified in division (J) of this section, which 1908
shall include all terms and conditions necessary to meet the 1909
requirements of federal law as interpreted by the United States 1910
department of labor or considered necessary by the director for 1911
the proper administration of this division. 1912

(L) The director shall disclose information furnished to 1913

or maintained by the director under this chapter upon request 1914
and on a reimbursable basis as required by section 303 of the 1915
"Social Security Act," 42 U.S.C.A. 503, and section 3304 of the 1916
"Internal Revenue Code," 26 U.S.C.A. 3304. 1917

Sec. 4141.53. (A) An individual is eligible to receive 1918
shared work compensation for a week in which the individual 1919
satisfies all of the following: 1920

(1) The individual is employed by a participating employer 1921
and is subject to a shared work plan that was approved before 1922
that week and is in effect for that week. 1923

(2) The individual is available for work and is actively 1924
seeking work by being available for the individual's normal 1925
weekly hours of work. 1926

(3) The individual's normal weekly hours of work with the 1927
participating employer have been reduced by at least ten per 1928
cent but not more than sixty per cent. 1929

(4) The individual has been employed by an employer or 1930
employers subject to this chapter in at least twenty qualifying 1931
weeks within the individual's base period and has earned or been 1932
paid remuneration at an average weekly wage of not less than 1933
twenty-seven and one-half per cent of the statewide average 1934
weekly wage for those weeks. 1935

(5) The individual has been subject to a shared work plan 1936
for at least one week prior to the week for which the 1937
compensation is to be paid, or otherwise satisfies the waiting 1938
period requirement of division (B) of section 4141.29 of the 1939
Revised Code for the individual's benefit year. 1940

(6) The individual otherwise satisfies the requirements of 1941
this chapter and is not otherwise disqualified from receiving 1942

unemployment compensation benefits. 1943

(B) For purposes of division (A) (2) of this section, an 1944
individual is available for the individual's normal weekly hours 1945
of work with the participating employer if the individual does 1946
any of the following: 1947

(1) Works the number of weekly hours assigned to the 1948
individual under an approved shared work plan; 1949

(2) Works fewer hours than the number of weekly hours 1950
assigned to the individual under an approved shared work plan 1951
and either of the following apply: 1952

(a) The individual takes approved time off during the week 1953
with pay, and the combined work hours and paid leave hours equal 1954
the number of hours the employee would have worked under the 1955
plan; 1956

(b) The individual does not take approved time off with 1957
pay during that week and the reduction in hours was not the 1958
fault of the individual and was not more than sixty per cent of 1959
the individual's normal weekly hours of work. 1960

(C) (1) Except as provided in division (C) (2) or (D) of 1961
this section, the director of job and family services shall pay 1962
a participating employee who is eligible for weekly shared work 1963
compensation in an amount equal to the participating employee's 1964
weekly benefit amount as described in division ~~(B)~~ (C) of 1965
section 4141.30 of the Revised Code for a period of total 1966
unemployment, multiplied by the reduction percentage specified 1967
in the approved shared work plan applicable to the participating 1968
employee. 1969

(2) The director shall pay a participating employee who is 1970
eligible for weekly shared work compensation in an amount equal 1971

to the participating employee's weekly benefit amount as 1972
described in division ~~(B)~~ (C) of section 4141.30 of the Revised 1973
Code for a period of total unemployment, multiplied by the 1974
percentage by which the participating employee's normal weekly 1975
hours of work were actually reduced during the workweek, if all 1976
of the following apply: 1977

(a) The participating employee did not take approved paid 1978
leave during the week. 1979

(b) The participating employee's normal weekly hours of 1980
work were actually reduced by not less than ten per cent and not 1981
greater than sixty per cent. 1982

(c) The increase or decrease in the participating 1983
employee's hours above or below the number of hours assigned to 1984
the employee in the approved shared work plan was not the fault 1985
of the employee. 1986

(3) The director shall determine fault for purposes of 1987
divisions (B) (2) (b) and (C) (2) (c) of this section in the same 1988
manner that the director makes determinations for benefit rights 1989
and determines claims for unemployment compensation benefits 1990
under sections 4141.28 and 4141.281 of the Revised Code. 1991

(4) The director shall round the amount of a shared work 1992
compensation payment that is not a multiple of one dollar to the 1993
next lower multiple of one dollar. 1994

(5) No shared work compensation shall be payable during 1995
the one-week period described in division (A) (5) of this 1996
section. 1997

(D) If an individual works for a participating employer 1998
and another employer during the weeks the individual is covered 1999
by an approved shared work plan, eligibility for shared work 2000

compensation is determined as follows: 2001

(1) If the combined number of hours the individual works 2002
for both the participating employer and the other employer in a 2003
week exceeds the amount of the individual's normal weekly hours 2004
of work reduced by ten per cent, the individual is not eligible 2005
for shared work compensation. 2006

(2) If the combined number of hours the individual works 2007
in a week for both employers equals the amount of the 2008
individual's normal weekly hours of work reduced between ten and 2009
sixty per cent, the director shall pay the individual, if the 2010
individual is otherwise eligible, shared work compensation in an 2011
amount equal to the individual's weekly benefit amount as 2012
described in division ~~(B)~~ (C) of section 4141.30 of the Revised 2013
Code for a period of total unemployment, multiplied by the 2014
percentage by which the individual's normal weekly hours of work 2015
were reduced during the week when factoring in both the amount 2016
of hours worked for the other employer and the amount of hours 2017
worked for the participating employer. 2018

(E) A participating employee is not entitled to receive 2019
shared work compensation and unemployment compensation benefits 2020
that, when combined, exceed the maximum total benefits payable 2021
to the participating employee in a benefit year under section 2022
4141.30 of the Revised Code. No participating employee shall be 2023
paid shared work compensation during the employee's benefit year 2024
in an amount that exceeds twenty-six times the amount of the 2025
employee's weekly benefit amount for a period of total 2026
unemployment under section 4141.30 of the Revised Code. 2027

(F) An individual who has received all of the shared work 2028
compensation and unemployment compensation benefits available in 2029
a benefit year is an individual who has exhausted regular 2030

benefits under section 4141.30 of the Revised Code and is 2031
entitled to receive extended benefits under section 4141.301 of 2032
the Revised Code if the individual is otherwise eligible to 2033
receive benefits under that section. 2034

(G) Except as provided in division (C) (2) of this section, 2035
the director shall not pay shared work compensation to an 2036
individual for a week during which the individual performs paid 2037
work for the individual's participating employer that exceeds or 2038
falls below the reduced hours established under an approved 2039
shared work plan that covers the individual. 2040

(H) (1) Except as provided in divisions (H) (2) and (3) of 2041
this section, a participating employee is not eligible to 2042
receive benefits for being partially unemployed for any week 2043
during which the individual works as a participating employee. 2044

(2) A participating employee who performs no services 2045
during a week for the participating employer and who is 2046
otherwise eligible may be paid benefits for being totally or 2047
partially unemployed for that week. 2048

(3) A participating employee whose normal weekly hours of 2049
work are reduced by more than sixty per cent and who is 2050
otherwise eligible may be paid benefits for partial unemployment 2051
for that week. 2052

(I) Any payment of total or partial unemployment 2053
compensation benefits under this section is not a payment of 2054
shared work compensation under an approved plan but shall be 2055
calculated against the maximum total benefits payable to the 2056
participating employee in a benefit year under section 4141.30 2057
of the Revised Code. 2058

(J) For purposes of this section and unless another 2059

benefit year applies to the individual, notwithstanding division 2060
(R) (1) of section 4141.01 of the Revised Code, a participating 2061
employee's "benefit year" is the fifty-two week period beginning 2062
with the first day of that week with respect to which the 2063
employee's participating employer first files a claim on behalf 2064
of the participating employee pursuant to division (B) of 2065
section 4141.54 of the Revised Code. 2066

Section 2. That existing sections 4141.01, 4141.29, 2067
4141.30, 4141.43, and 4141.53 of the Revised Code are hereby 2068
repealed. 2069

Section 3. The General Assembly, applying the principle 2070
stated in division (B) of section 1.52 of the Revised Code that 2071
amendments are to be harmonized if reasonably capable of 2072
simultaneous operation, finds that the following sections, 2073
presented in this act as composites of the sections as amended 2074
by the acts indicated, are the resulting versions of the 2075
sections in effect prior to the effective date of the sections 2076
as presented in this act: 2077

Section 4141.01 of the Revised Code as amended by both 2078
H.B. 110 and H.B. 281 of the 134th General Assembly. 2079

Section 4141.29 of the Revised Code as amended by both 2080
H.B. 49 and H.B. 158 of the 132nd General Assembly. 2081