

As Passed by the Senate

**130th General Assembly
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Sub. S. B. No. 25

Senators Peterson, LaRose

Cosponsors: Senators Seitz, Schaffer, Uecker, Bacon, Hite

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A B I L L

To amend section 4141.09 and to enact sections 1
4141.50 to 4141.56 of the Revised Code to create 2
the SharedWork Ohio Program and to declare an 3
emergency. 4

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

Section 1. That section 4141.09 be amended and sections 5
4141.50, 4141.51, 4141.52, 4141.53, 4141.54, 4141.55, and 4141.56 6
of the Revised Code be enacted to read as follows: 7

Sec. 4141.09. (A) There is hereby created an unemployment 8
compensation fund to be administered by the state without 9
liability on the part of the state beyond the amounts paid into 10
the fund and earned by the fund. The unemployment compensation 11
fund shall consist of all contributions, payments in lieu of 12
contributions described in sections 4141.241 and 4141.242 of the 13
Revised Code, reimbursements of the federal share of extended 14
benefits described in section 4141.301 of the Revised Code, 15
collected under sections 4141.01 to ~~4141.46~~ 4141.56 of the Revised 16
Code, together with all interest earned upon any moneys deposited 17
with the secretary of the treasury of the United States to the 18
credit of the account of this state in the unemployment trust fund 19

established and maintained pursuant to section 904 of the "Social Security Act," any property or securities acquired through the use of moneys belonging to the fund, and all earnings of such property or securities. The unemployment compensation fund shall be used to pay benefits, shared work compensation as defined in section 4141.50 of the Revised Code, and refunds as provided by such sections and for no other purpose.

(B) The treasurer of state shall be the custodian of the unemployment compensation fund and shall administer such fund in accordance with the directions of the director of job and family services. All disbursements therefrom shall be paid by the treasurer of state on warrants drawn by the director. Such warrants may bear the facsimile signature of the director printed thereon and that of a deputy or other employee of the director charged with the duty of keeping the account of the unemployment compensation fund and with the preparation of warrants for the payment of benefits to the persons entitled thereto. Moneys in the clearing and benefit accounts shall not be commingled with other state funds, except as provided in division (C) of this section, but shall be maintained in separate accounts on the books of the depository bank. Such money shall be secured by the depository bank to the same extent and in the same manner as required by sections 135.01 to 135.21 of the Revised Code; and collateral pledged for this purpose shall be kept separate and distinct from any collateral pledged to secure other funds of this state. All sums recovered for losses sustained by the unemployment compensation fund shall be deposited therein. The treasurer of state shall be liable on the treasurer's official bond for the faithful performance of the treasurer's duties in connection with the unemployment compensation fund, such liability to exist in addition to any liability upon any separate bond.

(C) The treasurer of state shall maintain within the

unemployment compensation fund three separate accounts which shall 52
be a clearing account, a trust fund account, and a benefit 53
account. All moneys payable to the unemployment compensation fund, 54
upon receipt by the director, shall be forwarded to the treasurer 55
of state, who shall immediately deposit them in the clearing 56
account. Refunds of contributions, or payments in lieu of 57
contributions, payable pursuant to division (E) of this section 58
may be paid from the clearing account upon warrants signed by a 59
deputy or other employee of the director charged with the duty of 60
keeping the record of the clearing account and with the 61
preparation of warrants for the payment of refunds to persons 62
entitled thereto. After clearance thereof, all moneys in the 63
clearing account shall be deposited with the secretary of the 64
treasury of the United States to the credit of the account of this 65
state in the unemployment trust fund established and maintained 66
pursuant to section 904 of the "Social Security Act," in 67
accordance with requirements of the "Federal Unemployment Tax 68
Act," 53 Stat. 183 (1939), 26 U.S.C.A. 3301, 3304(a)(3), any law 69
in this state relating to the deposit, administration, release, or 70
disbursement of moneys in the possession or custody of this state 71
to the contrary notwithstanding. The benefit account shall consist 72
of all moneys requisitioned from this state's account in the 73
unemployment trust fund. Federal funds may be deposited, at the 74
director's discretion, into the benefit account. Any funds 75
deposited into the benefit account shall be disbursed solely for 76
payment of benefits under a federal program administered by this 77
state and for no other purpose. Moneys in the clearing and benefit 78
accounts may be deposited by the treasurer of state, under the 79
direction of the director, in any bank or public depository in 80
which general funds of the state may be deposited, but no public 81
deposit insurance charge or premium shall be paid out of the fund. 82

(D) Moneys shall be requisitioned from this state's account 83
in the unemployment trust fund solely for the payment of benefits 84

and in accordance with regulations prescribed by the director. The 85
director shall requisition from the unemployment trust fund such 86
amounts, not exceeding the amount standing to this state's account 87
therein, as are deemed necessary for the payment of benefits for a 88
reasonable future period. Upon receipt thereof, the treasurer of 89
state shall deposit such moneys in the benefit account. 90
Expenditures of such money in the benefit account and refunds from 91
the clearing account shall not require specific appropriations or 92
other formal release by state officers of money in their custody. 93
Any balance of moneys requisitioned from the unemployment trust 94
fund which remains unclaimed or unpaid in the benefit account 95
after the expiration of the period for which such sums were 96
requisitioned shall either be deducted from estimates for and may 97
be utilized for the payment of benefits during succeeding periods, 98
or, in the discretion of the director, shall be redeposited with 99
the secretary of the treasury of the United States to the credit 100
of this state's account in the unemployment trust fund, as 101
provided in division (C) of this section. Unclaimed or unpaid 102
federal funds redeposited with the secretary of the treasury of 103
the United States shall be credited to the appropriate federal 104
account. 105

(E) No claim for an adjustment or a refund on contribution, 106
payment in lieu of contributions, interest, or forfeiture alleged 107
to have been erroneously or illegally assessed or collected, or 108
alleged to have been collected without authority, and no claim for 109
an adjustment or a refund of any sum alleged to have been 110
excessive or in any manner wrongfully collected shall be allowed 111
unless an application, in writing, therefor is made within four 112
years from the date on which such payment was made. If the 113
director determines that such contribution, payment in lieu of 114
contributions, interest, or forfeiture, or any portion thereof, 115
was erroneously collected, the director shall allow such employer 116
to make an adjustment thereof without interest in connection with 117

subsequent contribution payments, or payments in lieu of 118
contributions, by the employer, or the director may refund said 119
amount, without interest, from the clearing account of the 120
unemployment compensation fund, except as provided in division (B) 121
of section 4141.11 of the Revised Code. For like cause and within 122
the same period, adjustment or refund may be so made on the 123
director's own initiative. An overpayment of contribution, payment 124
in lieu of contributions, interest, or forfeiture for which an 125
employer has not made application for refund prior to the date of 126
sale of the employer's business shall accrue to the employer's 127
successor in interest. 128

An application for an adjustment or a refund, or any portion 129
thereof, that is rejected is binding upon the employer unless, 130
within thirty days after the mailing of a written notice of 131
rejection to the employer's last known address, or, in the absence 132
of mailing of such notice, within thirty days after the delivery 133
of such notice, the employer files an application for a review and 134
redetermination setting forth the reasons therefor. The director 135
shall promptly examine the application for review and 136
redetermination, and if a review is granted, the employer shall be 137
promptly notified thereof, and shall be granted an opportunity for 138
a prompt hearing. 139

(F) If the director finds that contributions have been paid 140
to the director in error, and that such contributions should have 141
been paid to a department of another state or of the United States 142
charged with the administration of an unemployment compensation 143
law, the director may upon request by such department or upon the 144
director's own initiative transfer to such department the amount 145
of such contributions, less any benefits paid to claimants whose 146
wages were the basis for such contributions. The director may 147
request and receive from such department any contributions or 148
adjusted contributions paid in error to such department which 149

should have been paid to the director. 150

(G) In accordance with section 303(c)(3) of the Social 151
Security Act, and section 3304(a)(17) of the Internal Revenue Code 152
of 1954 for continuing certification of Ohio unemployment 153
compensation laws for administrative grants and for tax credits, 154
any interest required to be paid on advances under Title XII of 155
the Social Security Act shall be paid in a timely manner and shall 156
not be paid, directly or indirectly, by an equivalent reduction in 157
the Ohio unemployment taxes or otherwise, by the state from 158
amounts in the unemployment compensation fund. 159

(H) The treasurer of state, under the direction of the 160
director and in accordance with the "Cash Management Improvement 161
Act of 1990," 104 Stat. 1061, 31 U.S.C.A. 335, 6503, shall deposit 162
amounts of interest earned by the state on funds in the benefit 163
account established pursuant to division (C) of this section into 164
the department of job and family services banking fees fund, which 165
is hereby created in the state treasury for the purpose of paying 166
related banking costs incurred by the state for the period for 167
which the interest is calculated, except that if the deposited 168
interest exceeds the banking costs incurred by the state for the 169
period for which the interest is calculated, the treasurer of 170
state shall deposit the excess interest into the unemployment 171
trust fund. 172

(I) The treasurer of state, under the direction of the 173
director, shall deposit federal funds received by the director for 174
training and administration and for payment of benefits, job 175
search, relocation, transportation, and subsistence allowances 176
pursuant to the "Trade Act of 1974," 88 Stat. 1978, 19 U.S.C.A. 177
2101, as amended; the "North American Free Trade Agreement 178
Implementation Act," 107 Stat. 2057 (1993), 19 U.S.C.A. 3301, as 179
amended; and the "Trade Act of 2002," 116 Stat. 993, 19 U.S.C.A. 180
3801, as amended, into the Trade Act training and administration 181

account, which is hereby created for the purpose of making 182
payments specified under those acts. The treasurer of state, under 183
the direction of the director, may transfer funds from the Trade 184
Act training and administration account to the benefit account for 185
the purpose of making any payments directly to claimants for 186
benefits, job search, relocation, transportation, and subsistence 187
allowances, as specified by those acts. 188

Sec. 4141.50. (A) As used in this section and in sections 189
4141.51 to 4141.56 of the Revised Code: 190

(1) "Affected unit" means a department, shift, or other 191
organizational unit of two or more employees that is designated by 192
a participating employer in a shared work plan. 193

(2) "Approved shared work plan" means an employer's shared 194
work plan, submitted pursuant to section 4141.51 of the Revised 195
Code, that satisfies all of the requirements for approval under 196
that section and that the director of job and family services has 197
approved in writing. 198

(3) "Intermittent basis" means employment that is not 199
continuous but may consist of periodic intervals of weekly work 200
and intervals of no weekly work. 201

(4) "Normal weekly hours of work" means the normal hours of 202
work each week for an employee in an affected unit when that unit 203
is operating on a full-time basis, not to exceed forty hours and 204
not including any overtime worked. 205

(5) "Participating employee" means an employee whose normal 206
weekly hours of work are reduced by the reduction percentage under 207
an approved shared work plan. 208

(6) "Participating employer" means an employer who has an 209
approved shared work plan in effect. 210

(7) "Reduction percentage" means the percentage by which each 211

participating employee's normal weekly hours of work are reduced 212
under an approved shared work plan. 213

(8) "Seasonal basis" has the same meaning as "seasonal 214
employment" as defined in division (A) of section 4141.33 of the 215
Revised Code. 216

(9) "Shared work compensation" means the pro rata share of 217
unemployment compensation benefits payable to a participating 218
employee under an approved shared work plan. "Shared work 219
compensation" does not include unemployment compensation benefits 220
otherwise payable to an eligible claimant who is totally or 221
partially unemployed. 222

(10) "Temporary basis" means employment where an employee is 223
expected to remain in a position for only a limited period of time 224
or is hired by a temporary agency to fill a gap in the employer's 225
workforce. 226

(B) There is hereby created the "SharedWork Ohio" program, 227
under which an employer who participates in the program reduces 228
the number of hours worked by the employees of the employer in 229
lieu of layoffs. 230

The director may adopt rules as the director determines 231
necessary to implement any guidance issued by the United States 232
secretary of labor with respect to the SharedWork Ohio program. 233

Sec. 4141.51. (A) An employer who wishes to participate in 234
the SharedWork Ohio program shall submit a plan to the director of 235
job and family services in which the employer does all of the 236
following: 237

(1) Identifies the participating employees by name, social 238
security number, affected unit, and normal weekly hours of work; 239

(2) Describes the manner in which the employer will implement 240
the requirements of the SharedWork Ohio program, including the 241

proposed reduction percentage, which shall be between ten per cent 242
and fifty per cent, and any temporary closure of the participating 243
employer's business for equipment maintenance or other similar 244
circumstances that the employer knows may occur during the 245
effective period of an approved plan; 246

(3) Includes a plan for giving advance notice, if feasible, 247
to an employee whose normal weekly hours of work are to be reduced 248
and, if advance notice is not feasible, an explanation of why that 249
notice is not feasible; 250

(4) Includes a certification by the employer that the 251
aggregate reduction in the number of hours worked by the employees 252
of the employer is in lieu of layoffs and includes an estimate of 253
the number of layoffs that would have occurred absent the ability 254
to participate in the SharedWork Ohio program; 255

(5) Includes a certification by the employer that if the 256
employer provides health benefits and retirement benefits under a 257
defined benefit plan, as defined in 26 U.S.C. 414(j), as amended, 258
or contributions under a defined contribution plan as defined in 259
26 U.S.C. 414(i), as amended, to any employee whose normal weekly 260
hours of work are reduced under the program that such benefits 261
will continue to be provided to an employee participating in the 262
SharedWork Ohio program under the same terms and conditions as 263
though the normal weekly hours of work of the employee had not 264
been reduced or to the same extent as other employees not 265
participating in the program; 266

(6) Permits eligible employees to participate, as 267
appropriate, in training to enhance job skills approved by the 268
director, including employer-sponsored training or worker training 269
funded under the federal "Workforce Investment Act of 1998," 112 270
Stat. 936, 29 U.S.C. 2801 et seq., as amended; 271

(7) Includes any other information as required by the United 272

<u>States secretary of labor or the director under the rules the</u>	273
<u>director adopts under section 4141.50 of the Revised Code;</u>	274
<u>(8) Includes an attestation by the employer that the terms of</u>	275
<u>the written plan submitted by the employer and implementation of</u>	276
<u>that plan are consistent with obligations of the employer under</u>	277
<u>the applicable federal and state laws;</u>	278
<u>(9) Includes a certification by the employer that the</u>	279
<u>employer will promptly notify the director of any change in the</u>	280
<u>business that includes the sale or transfer of all or part of the</u>	281
<u>business, and that the employer will notify any successor in</u>	282
<u>interest to the employer's business prior to the transfer of all</u>	283
<u>or part of the business, of the existence of any approved shared</u>	284
<u>work plan;</u>	285
<u>(10) Includes a certification by the employer that, as of the</u>	286
<u>date the employer submits the plan, the employer is current on all</u>	287
<u>reports and has paid all contributions, reimbursements, interest,</u>	288
<u>and penalties due under this chapter;</u>	289
<u>(11) Includes an assurance from the employer that the</u>	290
<u>employer will remain current on all employer reporting and</u>	291
<u>payments of contributions, reimbursements, interest, and penalties</u>	292
<u>as required by this chapter;</u>	293
<u>(12) Includes a certification by the employer that none of</u>	294
<u>the participating employees are employed on a seasonal, temporary,</u>	295
<u>or intermittent basis;</u>	296
<u>(13) Includes an assurance from the employer that the</u>	297
<u>employer will not reduce a participating employee's normal weekly</u>	298
<u>hours of work by more than the reduction percentage, except in the</u>	299
<u>event of a temporary closure of the employer's business for</u>	300
<u>equipment maintenance, or when the employee receives remuneration</u>	301
<u>from the employer equal to the remuneration the employee would</u>	302
<u>have received if the employee had worked the number of hours</u>	303

assigned under the plan. 304

(B) The director shall approve a shared work plan if an 305
employer includes in the plan all of the information, 306
certifications, and assurances required under division (A) of this 307
section. 308

(C) The director shall approve or deny a shared work plan and 309
shall send a written notice to the employer stating whether the 310
director approved or denied the plan not later than thirty days 311
after the director receives the plan. If the director denies 312
approval of a shared work plan, the director shall state the 313
reasons for denying approval in the written notice sent to the 314
employer. 315

(D) The director shall enforce the requirements of the 316
SharedWork Ohio program in the same manner as the director 317
enforces the requirements of this chapter, including under section 318
4141.40 of the Revised Code. 319

Sec. 4141.52. (A) A shared work plan approved under section 320
4141.51 of the Revised Code takes effect with respect to the week 321
following the date the director of job and family services 322
approves the plan. An approved shared work plan expires at the end 323
of the fifty-second calendar week after approval of the plan. 324

(B) A participating employer who wishes to modify an existing 325
approved shared work plan shall submit the modified plan to the 326
director. The director shall evaluate the modified plan and may 327
approve the plan if the plan meets the requirements for approval 328
under section 4141.51 of the Revised Code. If approved, a modified 329
plan supersedes the previously approved shared work plan, 330
effective beginning with the week following the date the director 331
approves the modified plan. The director shall not approve a 332
modified plan that fails to satisfy the requirements for approval 333
under section 4141.51 of the Revised Code. 334

(C) The director may terminate an approved shared work plan 335
for good cause. For purposes of this section, "good cause" means 336
any of the following circumstances: 337

(1) The approved shared work plan is not being executed 338
according to the terms and conditions stated in the plan. 339

(2) The participating employer fails to comply with any 340
assurances given in the participating employer's approved shared 341
work plan. 342

(3) The participating employer, or a participating employee 343
of the participating employer, violates any criteria on which 344
approval of the shared work plan was based. 345

(D) A participating employer may elect to terminate an 346
approved shared work plan by providing written notice to the 347
director. The director shall terminate the plan upon receipt of 348
the notice and shall inform the employer and each participating 349
employee of the employer in writing of the week with respect to 350
which the termination is effective. 351

(E) A decision by the director to approve or disapprove a 352
proposed shared work plan, to approve or disapprove a proposed 353
modified shared work plan, or to terminate an approved shared work 354
plan, may not be appealed pursuant to this chapter. 355

(F) Nothing in division (E) of this section shall be 356
construed to prevent an employer who has submitted a shared work 357
plan that was disapproved from submitting another shared work plan 358
in accordance with section 4141.51 of the Revised Code. 359

Sec. 4141.53. (A) An individual is eligible to receive shared 360
work compensation for a week in which the individual satisfies all 361
of the following: 362

(1) The individual is employed by a participating employer 363
and is subject to a shared work plan that was approved before that 364

week and is in effect for that week. 365

(2) The individual is available for work and is actively seeking work by being available for the individual's normal weekly hours of work. 366
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(3) The individual's normal weekly hours of work with the participating employer have been reduced by at least ten per cent but not more than fifty per cent. 369
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(4) The individual has been employed by an employer or employers subject to this chapter in at least twenty qualifying weeks within the individual's base period and has earned or been paid remuneration at an average weekly wage of not less than twenty-seven and one-half per cent of the statewide average weekly wage for those weeks. 372
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(5) The individual has been subject to a shared work plan for at least one week prior to the week for which the compensation is to be paid, or otherwise satisfies the waiting period requirement of division (B) of section 4141.29 of the Revised Code for the individual's benefit year. 378
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(6) The individual otherwise satisfies the requirements of this chapter and is not otherwise disqualified from receiving unemployment compensation benefits. 383
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(B) For purposes of division (A)(2) of this section, an individual is available for the individual's normal weekly hours of work with the participating employer if the individual does any of the following: 386
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(1) Works the number of weekly hours assigned to the individual under an approved shared work plan; 390
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(2) Works fewer hours than the number of weekly hours assigned to the individual under an approved shared work plan and receives remuneration from the participating employer equal to the 392
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remuneration the individual would have received if the individual 395
had worked the number of hours assigned under the plan; 396

(3) Works fewer hours than the number of weekly hours 397
assigned to the individual under an approved shared work plan and 398
receives less remuneration than the individual would have received 399
if the individual had worked the number of hours assigned under 400
the plan if the reduction in hours was not the fault of the 401
individual and was not more than fifty per cent of the 402
individual's normal weekly hours of work. 403

(C)(1) Except as provided in division (C)(2) of this section, 404
the director of job and family services shall pay a participating 405
employee who is eligible for weekly shared work compensation in an 406
amount equal to the participating employee's weekly benefit amount 407
as described in division (B) of section 4141.30 of the Revised 408
Code for a period of total unemployment, multiplied by the 409
reduction percentage specified in the approved shared work plan 410
applicable to the participating employee. 411

(2) The director shall pay a participating employee who is 412
eligible for weekly shared work compensation in an amount equal to 413
the participating employee's weekly benefit amount as described in 414
division (B) of section 4141.30 of the Revised Code for a period 415
of total unemployment, multiplied by the percentage by which the 416
participating employee's normal weekly hours of work were actually 417
reduced during the workweek, if all of the following apply: 418

(a) The participating employee worked fewer hours in a week 419
than the number of hours assigned to the employee in an approved 420
shared work plan. 421

(b) The participating employee did not receive remuneration 422
equal to the remuneration the employee would have received if the 423
employee had worked the number of hours assigned to the employee 424
in the approved shared work plan. 425

(c) The reduction in the participating employee's hours was 426
not greater than fifty per cent of the employee's normal weekly 427
hours of work. 428

(d) The reduction in the participating employee's hours below 429
the number of hours assigned to the employee in the approved 430
shared work plan was not the fault of the employee. 431

(3) The director shall determine fault for purposes of 432
divisions (B)(3) and (C)(2)(d) of this section in the same manner 433
that the director makes determinations for benefit rights and 434
determines claims for unemployment compensation benefits under 435
sections 4141.28 and 4141.281 of the Revised Code. 436

(4) The director shall round the amount of a shared work 437
compensation payment that is not a multiple of one dollar to the 438
next lower multiple of one dollar. 439

(5) No shared work compensation shall be payable during the 440
one-week period described in division (A)(5) of this section. 441

(D) A participating employee is not entitled to receive 442
shared work compensation and unemployment compensation benefits 443
that, when combined, exceed the maximum total benefits payable to 444
the participating employee in a benefit year under section 4141.30 445
of the Revised Code. No participating employee shall be paid 446
shared work compensation during the employee's benefit year in an 447
amount that exceeds twenty-six times the amount of the employee's 448
weekly benefit amount for a period of total unemployment under 449
section 4141.30 of the Revised Code. 450

(E) An individual who has received all of the shared work 451
compensation and unemployment compensation benefits available in a 452
benefit year is an individual who has exhausted regular benefits 453
under section 4141.30 of the Revised Code and is entitled to 454
receive extended benefits under section 4141.301 of the Revised 455
Code if the individual is otherwise eligible to receive benefits 456

under that section. 457

(F) The director shall not pay shared work compensation to an individual for a week during which the individual performs paid work for the individual's participating employer that exceeds the reduced hours established under an approved shared work plan that covers the individual. 458
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(G)(1) Except as provided in divisions (G)(3) and (4) of this section, a participating employee is not eligible to receive benefits for being partially unemployed for any week during which the individual works as a participating employee. 463
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(2) If in any week a participating employee performs services for a participating employer and an employer other than the participating employer, the weekly shared work compensation amount payable to that employee shall be reduced by the amount by which the remuneration received from the other employer exceeds twenty per cent of the participating employee's weekly benefit amount, as calculated under division (B) of section 4141.30 of the Revised Code, for a period of total unemployment. 467
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(3) A participating employee who performs no services during a week for the participating employer and who is otherwise eligible may be paid benefits for being totally or partially unemployed for that week. 475
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(4) A participating employee whose normal weekly hours of work are reduced by more than fifty per cent and who is otherwise eligible may be paid benefits for partial unemployment for that week. 479
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(H) Any payment of total or partial unemployment compensation benefits under this section is not a payment of shared work compensation under an approved plan but shall be calculated against the maximum total benefits payable to the participating employee in a benefit year under section 4141.30 of the Revised 483
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Code. 488

(I) If in any week a participating employee reports the receipt of any type of payment listed in division (A) of section 4141.31 of the Revised Code that comes from a source other than the participating employer, the weekly shared work compensation amount payable to that employee shall be reduced by the amount of those payments received for that week. 489
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(J) For purposes of this section and unless another benefit year applies to the individual, notwithstanding division (R)(1) of section 4141.01 of the Revised Code, a participating employee's "benefit year" is the fifty-two week period beginning with the first day of that week with respect to which the employee's participating employer first files a claim on behalf of the participating employee pursuant to division (B) of section 4141.54 of the Revised Code. 495
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Sec. 4141.54. (A) Notwithstanding any provision in this chapter to the contrary, a participating employee who satisfies the availability requirement of division (A)(2) of section 4141.53 of the Revised Code shall not be required to be totally or partially unemployed within the meaning of division (M) or (N) of section 4141.01 of the Revised Code, shall not be required to file a claim for unemployment compensation benefits pursuant to section 4141.28 of the Revised Code, and shall not be required to meet ability to work, availability for work, and work search requirements that would otherwise be applicable to the participating employee, to receive shared work compensation under the SharedWork Ohio program. 503
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(B) The director of job and family services shall establish a schedule of consecutive two-week periods within the effective period of each approved shared work plan for the filing of shared work compensation claims. At the end of each scheduled period, the 515
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participating employer shall file claims on behalf of the 519
participating employer's participating employees. A participating 520
employee shall attest to the hours reported and provide additional 521
information as is requested by the director. A participating 522
employer shall file claims and a participating employee shall 523
attest to hours worked according to the procedures prescribed in 524
rules adopted by the director. 525

Sec. 4141.55. (A) If the state is eligible for and receives 526
reimbursement for shared work compensation paid under the 527
SharedWork Ohio program from the federal government pursuant to 528
the federal "Layoff Prevention Act of 2012," Pub. L. No. 112-96, 529
126 Stat. 156, notwithstanding section 4141.24 of the Revised Code 530
and if permitted under that act, during the time period in which 531
the state is reimbursed the account of an employer shall not be 532
charged for any shared work compensation paid to a participating 533
employer's participating employees. Beginning with the week for 534
which the federal government no longer provides reimbursement, or 535
if the state does not receive reimbursement or the federal 536
government requires an employer's account to be charged, any 537
shared work compensation paid to an individual shall be charged in 538
accordance with division (B) of this section. 539

(B) Except as provided in division (A) of this section, any 540
shared work compensation paid to an individual under section 541
4141.53 of the Revised Code shall be charged in accordance with 542
division (D) of section 4141.24 of the Revised Code. 543

Sec. 4141.56. Beginning one year after the effective date of 544
this section, and every year thereafter, the director of job and 545
family services shall prepare and submit a report to the governor, 546
the president and minority leader of the senate, and the speaker 547
and the minority leader of the house of representatives that 548
discusses the utilization of the SharedWork Ohio program created 549

under section 4141.50 of the Revised Code. The director shall 550
include in that report the number of employers and employees 551
participating in the program, the amount of shared work 552
compensation paid under the program during the immediately 553
preceding year, and any other information the director considers 554
to be relevant. 555

Section 2. That existing section 4141.09 of the Revised Code 556
is hereby repealed. 557

Section 3. The Director of Job and Family Services shall 558
prepare and submit a report evaluating the utilization and 559
effectiveness of the SharedWork Ohio Program created under section 560
4141.50 of the Revised Code, as enacted by this act, and the 561
impact of the Program on the Unemployment Compensation Fund 562
created in section 4141.09 of the Revised Code. The Director shall 563
base the report upon the information contained in the reports the 564
Director prepares under section 4141.56 of the Revised Code, as 565
enacted by this act. The Director shall submit the report to the 566
Governor, the President and Minority Leader of the Senate, and the 567
Speaker and the Minority Leader of the House of Representatives 568
not later than three years after the effective date of this act. 569

Section 4. The federal "Layoff Prevention Act of 2012," Pub. 570
L. No. 112-96, 126 Stat. 156, permits a state to receive federal 571
funding to create a program under which an employer reduces the 572
hours worked by the employer's employees in lieu of laying off 573
those employees. This act creates the "SharedWork Ohio" program, a 574
program that permits an employer to reduce hours worked by the 575
employer's employees in lieu of laying off those employees and 576
permits those employees to receive a proportionate share of 577
unemployment compensation benefits. The Director of Job and Family 578
Services shall implement "SharedWork Ohio" in accordance with 579

sections 4141.50 to 4141.56 of the Revised Code, as enacted by 580
this act. The Department of Job and Family Services may implement 581
the program as soon as the United States Department of Labor has 582
certified that the "SharedWork Ohio" program complies with the 583
federal law. 584

Section 5. This act is hereby declared to be an emergency 585
measure necessary for the immediate preservation of the public 586
peace, health, and safety. The reason for such necessity is so 587
that employers can continue to employ Ohioans who would otherwise 588
be victims of total job displacement. Therefore, this act shall go 589
into immediate effect. 590