



Ohio Legislative Service Commission

Bill Analysis

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H.B. 271

129th General Assembly
(As Introduced)

Reps. Antonio and Foley, R. Hagan, Ramos, Celeste, Lundy, Murray, Barnes, Garland, Okey, Williams, Gerberry, Weddington, Boyd, Driehaus, Luckie, Letson, O'Brien, Stinziano, Pillich, Phillips

BILL SUMMARY

- Establishes the Ohio Works Progress Administration (OWPA) to perform work for the public good, improve public property, provide needed public services, and provide participants with work experience.
- Requires the OWPA to hire field workers and supervisory personnel to perform OWPA tasks in all Ohio counties.
- Creates the Ohio Works Progress Administration Fund to pay for the services and expenses of the OWPA.

CONTENT AND OPERATION

Ohio Works Progress Administration

The bill establishes the Ohio Works Progress Administration (OWPA). The OWPA must be administered by a director, appointed by the Governor with the advice and consent of the Senate. The bill provides that the OWPA Director is to be paid \$75,000 per year.

The OWPA Director is required to appoint field workers to carry out OWPA duties and services, and other professional, technical, clerical, and supervisory personnel as are necessary to achieve the purposes of the OWPA. The bill states that the OWPA Director and its employees are in the unclassified service.¹

¹ R.C. 6302.02.

The bill also authorizes the OWPA to apply for, receive, and accept grants, gifts, and contributions, from public and private sources, including agencies and instrumentalities of the United States or Ohio, to be deposited into the Ohio Works Progress Administration Fund created by the bill.

OWPA duties and services

The OWPA must perform work for the public good, improve public property, provide needed public services, and provide participants with work experience. The types of services to be provided include:

- Planting, pruning, and cutting trees;
- Litter removal;
- Cleaning and repair of drainage ditches;
- Roadway, waterway, and community beautification;
- Demolition or renovation of foreclosed or abandoned homes, or other properties, in the possession of the state or of a political subdivision, for the purpose of preparing the property for use by the state or a political subdivision, or for sale;
- Renovation of foreclosed or abandoned homes, or other properties, in the possession of the state or of a political subdivision, for the purpose of creating residential housing for OWPA field workers;
- Assisting with an environmental remediation program managed by the Ohio Environmental Protection Agency or the U.S. Environmental Protection Agency;
- Designing, installing, and maintaining public art projects;
- Providing basic home maintenance and repair services to senior citizens;
- Providing home weatherization services to citizens;
- Maintaining the grounds and facilities of public cemeteries;
- Maintaining the grounds and facilities of public parks;
- Development and maintenance of community gardens;
- Lead paint abatement.

OWPA field workers

The bill sets out the qualifications, benefits, and expectations for individuals seeking to work as OWPA field workers. The bill also prescribes how field workers will be deployed throughout the state.

Field worker qualifications

The bill requires the OWPA to create field worker positions. Applications for the positions must be in writing and on a form prescribed by the OWPA Director. An individual may be employed as an OWPA field worker if the individual meets all the following qualifications:

- The individual is a resident of Ohio;
- The individual is at least 18 years of age;
- The individual is unemployed;
- The individual has been awarded a high school diploma or a certificate of high school equivalence issued for achievement of specified minimum scores on the General Educational Development (GED) test of the American Council on Education.
- If seeking a position as an artist field worker, the OWPA Director must determine that the individual has skill and experience as a fine artist in one or more media, including painting, drawing, or sculpture.

The bill provides that an individual may obtain a three-month exemption from the educational requirement by providing a signed affidavit stating that the individual is preparing to take the GED test.

The bill prohibits the OWPA Director from relying on a person's prior conviction of a felony as the sole reason for not employing a person as a field worker.²

Field worker benefits and expectations

The bill provides that OWPA field workers are to be paid a salary of \$27,500 per year. Additionally, the bill requires the OWPA Director to procure housing in each county and make the housing available to field workers. The housing must include necessary utilities for heat, water, and cooking, but field workers residing in the housing are not obligated to pay rent or to pay for the utilities. Field workers must

² R.C. 6302.03(A).

provide their own food, necessities, and work clothing. The bill provides that field workers who choose not to live in the housing are not entitled to a housing allowance. Finally, field workers are responsible for their own transportation to and from the OWPA job site to which they are assigned.³

Field worker deployment and supervision

The bill mandates that a minimum of 50 field workers must be employed in each county, at least two of whom are artists. The bill provides that the artist field workers may engage in work projects to fulfill the public art purpose of OWPA.

The OWPA Director must establish policies and procedures for assigning field workers to the several counties. The policies and procedures must be designed to achieve a gender and racial demographic of OWPA field workers within a county that closely matches the gender and racial demographic of the county.

In addition to the field workers assigned to the several counties, the Director must employ and assign to each county supervisory personnel as are necessary to schedule, direct, and supervise field workers. The supervisory personnel must be knowledgeable and experienced in the types of work projects in which the field workers under their supervision will be engaged. The bill provides that the supervisory personnel are responsible, under the Director's guidance, for identifying, and assigning field workers to, work projects that fulfill the purposes of OWPA.⁴

OWPA rulemaking

The bill requires the OWPA Director to adopt rules, in accordance with Ohio's Administrative Procedure Act,⁵ on the following subjects:⁶

- Standards to govern work assignments;
- Job descriptions and responsibilities for professional, technical, and clerical employees of the OWPA and supervisory personnel;
- Field worker standards of conduct;

³ R.C. 6302.03(C) and (D).

⁴ R.C. 6302.03(B).

⁵ R.C. Chapter 119.

⁶ R.C. 6302.04.

- Eligibility standards for senior citizens to receive basic home maintenance and repair services from OWPA field workers;
- Eligibility standards for citizens to receive home weatherization services from OWPA field workers;
- Any other subjects that will help achieve the purposes of the OWPA.

OWPA Fund

The bill establishes the Ohio Works Progress Administration Fund in the state treasury to operate the OWPA. The Fund is to consist of transfers from the General Revenue Fund (GRF) of surplus revenue and any grants, gifts, or contributions received by the OWPA.⁷

The bill requires the Director of Budget and Management to determine the GRF surplus revenue that existed on June 30, 2011, in excess of the required year-end balance, and transfer that amount to the Fund. This requirement supersedes the requirement in current law regarding the Budget Stabilization Fund, the Income Tax Reduction Fund, and the transfer of surplus revenue.⁸

HISTORY

ACTION	DATE
Introduced	06-21-2011

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⁷ R.C. 6302.05.

⁸ Section 2.