

American Staffing Association

277 South Washington Street, Suite 200 ▪ Alexandria, VA 22314-3675

OHIO

Employment Law Workbook Addendum (Update on legislation enacted from Jan. 1–Dec. 31, 2013)

Topics

I. Discrimination

No new laws or regulations enacted in 2012 or 2013.

II. Pre-Employment Inquiry Guidelines

No new laws or regulations enacted in 2012 or 2013.

III. Family and Medical Leave

No new laws or regulations enacted in 2012 or 2013.

IV. Wage and Hour Laws

The standard minimum wage increased from \$7.70 to \$7.85 per hour. Minimum wage for tipped employees increased from \$3.85 to \$3.93 per hour (effective Jan. 1, 2013).

No new laws or regulations enacted in 2013.

V. Drug Testing

No new laws or regulations enacted in 2012 or 2013.

VI. Noncompete and Other Employment Agreements

No new laws or regulations enacted in 2012 or 2013.

VII. Workplace Safety

No new laws or regulations enacted in 2012 or 2013.

VIII. Workers' Compensation

The Ohio Supreme Court recognized a new public policy exception to the employment-at-will doctrine, finding that an employee who suffers a retaliatory termination after an on-the-job injury, but before filing a workers' compensation claim, may now file a

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common-law tort for wrongful discharge in violation of Ohio public policy (*Sutton v. Tomco Machine Inc.*, 2001 Ohio 2723, June 9, 2011).

No new laws or regulations enacted in 2012 or 2013.

Miscellaneous

Ohio has expanded an ex-offender's ability to seal criminal records and obtain employment. Individuals convicted of certain criminal offenses who are released from incarceration and have completed probation may obtain a "certificate of qualification for employment." If an employer is aware of the certificate at the time of hiring, the employer is immune from negligent hiring claims arising in connection with wrongdoing by the individual holding the certificate of qualification for employment (SB 337 effective Sept. 28, 2012).