

AUDITOR OF STATE BULLETIN: 96-005
FEBRUARY 9, 1996

TO: ALL PUBLIC OFFICES
ALL INDEPENDENT PUBLIC ACCOUNTANTS

SUBJECT: OHIO DIRECTORY OF NEW HIRES, REQUIRED REPORTS BY
EMPLOYERS

House Bill 167 created Ohio Revised Code Section 5101.312, a copy of which is attached for your information. This section of the Revised Code creates a reporting mechanism whereby new hires and re-hires are reported and tracked in a computer database.

Ohio local governments should have already been notified of their reporting requirements by the Ohio Department of Human Services and by the vendor who has been hired to compile and maintain the database of new-hire submissions.

Listed below are the mailing address for the contractor who is compiling and maintaining the database for the Ohio Directory of New Hires and the associated HELP line telephone number:

Software Engineering, Inc.
P.O. Box 94972
Cleveland, OH 44101-4972

HELP line: 1-800-208-8887 (after February 2, 1996)

This bulletin does not apply to governments with fewer than 25 employees.

If you have any questions, please call the Auditor of State's Local Government Services staff at 1-800-345-2519.

SECTION 5101.312. (A) AS USED IN THIS SECTION:

(1) "CHILD SUPPORT ORDER" HAS THE SAME MEANING AS IN SECTION 2301.373 OF THE REVISED CODE.

(2) "EMPLOYER" MEANS ANY EMPLOYER WITH TWENTY-FIVE OR MORE EMPLOYEES, EXCEPT "EMPLOYER" ALSO MEANS AN EMPLOYER WITH FEWER THAN TWENTY-FIVE EMPLOYEES IF THE EMPLOYER'S BUSINESS IS ONE OF THE FOLLOWING:

- (a) EATING AND DRINKING PLACE;
- (b) GENERAL BUILDING CONTRACTOR;
- (c) CONSTRUCTION SPECIAL TRADE CONTRACTOR;
- (d) MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING;
- (e) AUTOMOTIVE DEALER OR GASOLINE SERVICE STATION;
- (f) AUTOMOTIVE REPAIR, SERVICES, AND PARKING;

(3) "OBLIGOR" MEANS A PERSON REQUIRED TO PAY SUPPORT UNDER A CHILD SUPPORT ORDER.

(B) EFFECTIVE JANUARY 1, 1996, AN EMPLOYER SHALL REPORT IN WRITING TO THE DEPARTMENT OF HUMAN SERVICES THE HIRING, REHIRING, OR RETURN TO WORK AS AN EMPLOYEE OF A PERSON WHO RESIDES, WORKS, OR WILL BE ASSIGNED TO WORK IN THIS STATE TO WHOM THE EMPLOYER ANTICIPATES PAYING COMPENSATION.

(C) AN EMPLOYER SHALL INCLUDE ALL OF THE FOLLOWING IN EACH REPORT:

- (1) THE EMPLOYEE'S NAME, ADDRESS, AND SOCIAL SECURITY NUMBER;
- (2) THE EMPLOYER'S NAME, ADDRESS, AND IDENTIFICATION NUMBER.

(D) AN EMPLOYER MAY MAKE A REPORT BY SUBMITTING A COPY OF THE UNITED STATES INTERNAL REVENUE SERVICE FORM W-4 (EMPLOYEE'S WITHHOLDING ALLOWANCE CERTIFICATE) FOR THE EMPLOYEE, A FORM PROVIDED BY THE DEPARTMENT, OR ANY OTHER HIRING DOCUMENT OR DATA STORAGE DEVICE OR MECHANISM THE DEPARTMENT AUTHORIZES. AN EMPLOYER MAY MAKE THE REPORT BY MAIL, FAX, OR OTHER MEANS THE DEPARTMENT AUTHORIZES. IF AN EMPLOYER MAKES A REPORT BY MAIL, THE DATE OF MAKING THE REPORT IS THE POSTMARK DATE IF THE REPORT IS MAILED IN THE UNITED STATES WITH FIRST CLASS POSTAGE AND IS ADDRESSED AS THE DEPARTMENT AUTHORIZES. AN EMPLOYER SHALL MAKE THE REPORT NOT LATER THAN THIRTY DAYS AFTER THE DATE ON WHICH THE EMPLOYER HIRES OR REHIRES AN EMPLOYEE OR THE EMPLOYEE RETURNS TO WORK.

(E) THE DEPARTMENT SHALL USE THE REPORTS IT RECEIVES PURSUANT TO THIS SECTION TO LOCATE OBLIGORS UNDER CHILD SUPPORT ORDERS BEING ADMINISTERED BY CHILD SUPPORT ENFORCEMENT AGENCIES IN THIS STATE AND TO DETECT FRAUD IN ANY PROGRAM ADMINISTERED BY THE DEPARTMENT. THE DEPARTMENT MAY SUBMIT TO THE BUREAU OF WORKERS' COMPENSATION OR THE BUREAU OF EMPLOYMENT SERVICES A COPY OF ANY REPORT IT RECEIVES FROM AN EMPLOYER PURSUANT TO THIS SECTION. THE DEPARTMENT SHALL ADOPT RULES IN ACCORDANCE WITH CHAPTER 119. OF THE REVISED CODE TO IMPLEMENT THIS SECTION. IN ADOPTING THE RULES, THE DEPARTMENT SHALL WORK WITH THE BUREAU OF EMPLOYMENT SERVICES FOR THE PURPOSE OF IDENTIFYING THE INDUSTRIES LISTED IN DIVISION (A)(2) OF THIS SECTION BY USING THE STANDARD INDUSTRIAL CLASSIFICATION CODES ESTABLISHED IN THE STANDARD INDUSTRIAL CLASSIFICATION MANUAL, 1987, PUBLISHED BY EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET.

(F) AN EMPLOYER WHO FAILS TO MAKE A REPORT REQUIRED BY THIS SECTION SHALL BE REQUIRED BY THE DEPARTMENT OF HUMAN SERVICES TO PAY A FEE OF TWENTY-FIVE DOLLARS FOR EACH FAILURE TO MAKE A REPORT.