



Ohio Revised Code

Section 4111.031 Exemptions from overtime requirements.

Effective: July 6, 2022

Legislation: Senate Bill 47 - 134th General Assembly

(A)(1) Except as provided in divisions (B) and (C) of this section, an employer is not required to pay the overtime wage rate under section 4111.03 of the Revised Code to an employee for any time that the employee spends performing any of the following activities:

- (a) Walking, riding, or traveling to and from the actual place of performance of the principal activity or activities that the employee is employed to perform;
- (b) Activities that are preliminary to or postliminary to the principal activity or activities;
- (c) Activities requiring insubstantial or insignificant periods of time beyond the employee's scheduled working hours.

(2) Division (A)(1) of this section applies to an activity described in that division that occurs either prior to the time on any particular workday at which the employee commences, or subsequent to the time on any particular workday at which the employee ceases, such principal activity or activities.

(B) Division (A) of this section does not apply if an employee engages in an activity described in division (A)(1)(b) of this section under either of the following circumstances:

- (1) The employee performs the activity during the regular work day or during prescribed hours.
- (2) The employee performs the activity at the specific direction of the employer.

(C) Division (A) of this section does not apply if an employee engages in an activity described in that division under either of the following circumstances:

- (1) The employee performs the activity pursuant to an express provision of a written or unwritten contract in effect, at the time of performance, between the employee or the employee's agent or



collective bargaining representative and the employee's employer.

(2) The employee performs the activity pursuant to a custom or practice applicable to the activity, in effect at the time of performance, at the establishment or other place where the employee is employed, and the custom or practice is not inconsistent with a contract described in division (C)(1) of this section.