

VIA EMAIL

May 15, 2024

Keith Beesley
General Counsel
Indiana State Personnel Department
402 W Washington St # W161
Indianapolis, IN 46204

Re: LSA Document #24-179/Regulatory Analysis Economic Impact Statement

Dear Mr. Beesley,

Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and regulatory analysis associated with the rule changes contained in LSA Document #24-179 (proposed rule) submitted to the Indiana Small Business Ombudsman by the Indiana State Personnel Department (ISPD) and found the following to be true.

Proposed rule LSA #24-179 aims to make numerous amendments throughout 31 Indiana Administrative Code (IAC) 5 regarding rules on employment within executive state agencies. A majority of the amendments constitute cleanup language to clarify and simplify rule language around personnel employment across the state and remove administrative burdens. Additional amendments appear to be intended to enhance employment experiences within State of Indiana employment. Some enhancement amendments include, allowing the use of accrued vacation time for full-time and part-time employees as accrued before the six and 12 month, respective, benchmarks of employment, defining emergency conditions leave for state worksites, adding new parent leave to the list of paid leaves available for salary continuation during the elimination period for disability benefits, clarifying authorized leaves of absence do not constitute a "break in service", among other amendments. Additional amendments include conformity to federal statute, such as the Uniformed Service Employment and Reemployment Rights Act. The cost analysis conducted by ISPD indicates the changes made throughout LSA #24-179 will have little to no costs to the state and do not require additional reporting or administrative work to accomplish their intended goals.

The ISPD's provided regulatory analysis displays a proper due diligence and understanding of how implementation must be carried out to ensure compliance while minimizing the potential impact to small businesses and individuals in Indiana, especially considering the amended rules largely constitute internal procedures for state employees. Based upon this statement and review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact on small business if the ISPD's conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at ombudsman@iedc.in.gov.

Sincerely,
Matt Jaworowski
Small Business Ombudsman
Indiana Economic Development Corporation