

**OPINION NO. 68-064****Syllabus:**

The Cleveland Public Library may deduct insurance premium payments from the wages or salaries of its employees if the employees voluntarily elect to participate and the plan is one of those enumerated in Section 3917.04, Revised Code.

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**To: John T. Corrigan, Cuyahoga County Pros. Atty., Cleveland, Ohio**  
**By: William B. Saxbe, Attorney General, April 2, 1968**

I have before me your request for my opinion which raises the following question:

Does Section 3917.04, Revised Code, as amended, authorize the Cleveland Public Library to deduct premium payments from the salaries or wages of employees who wish to participate in a group insurance plan?

Section 3917.04, Revised Code, as amended by Amended Substitute House Bill No. 93, effective May 17, 1967 provides as follows:

"If any employee of a political subdivision or district of this state, or of an institution supported in whole or in part by public funds, or any employee of this state, authorizes in writing the auditor or other proper officer of the political subdivision, district, institution, or the state of which he is an employee, to deduct from his salary or wages the premium or portion thereof agreed to be paid by him to an insurer authorized to do business in the state for life, endowment, accident, health, or health and accident insurance, annuities, or hospitalization insurance, or salary savings plan, such political subdivision, district, institution, or the state of which he is an employee may deduct from his salary or wages such premium, or portion thereof, agreed to be paid by said employee, and pay the same to the insurer provided, that life, endowment, accident, health, health and accident, and hospitalization insurance is offered to the employee on a group basis and that at least ten percent of the employees at any institution or of any political subdivision or in any department, agency, bureau, district, commission or board voluntarily elect to participate in such group insurance.

"The auditor or other proper official of such political subdivision, district, institution, or the state of which he is an employee may issue

warrants covering salary or wage deductions which have been authorized by such employee in favor of the insurer and in the amount so authorized by the employee." (132 v. H 93. Eff. 5-17-67)

There is no authority in the Revised Code, which specifically or impliedly prohibits a public library from deducting premium payments from the wages or salaries of its employees. Since you state that the Cleveland Public Library is created by statute and supported in part by public funds, it is my opinion that it may deduct premium payments from wages or salaries of the employees if at least ten percent of the employees voluntarily elect to participate and the plan is one of those enumerated in Section 3917.04, supra, as amended and each employee desiring to participate authorizes in writing to the proper officer that portion to be deducted.

Therefore, it is my opinion and you are hereby advised that the Cleveland Public Library may deduct insurance premium payments from the wages or salaries of its employees if the employees voluntarily elect to participate and the plan is one of those enumerated in Section 3917.04, Revised Code.