



Ohio Administrative Code

Rule 123:1-32-09 Conversion of sick leave and personal leave credit upon separation from service for employees paid by warrant of the director of budget and management.

Effective: October 6, 2013

An employee whose salary or wage is paid by warrant of the director of budget and management shall be entitled, upon separation for any reason, to a cash conversion benefit for unused sick leave and personal leave credit pursuant to the provisions of this rule and sections 124.384 and 124.386 of the Revised Code. For purposes of this rule the term "separation" shall mean any voluntary or involuntary termination from service, including, resignation, disability separation, retirement, removal from service, and layoff from service, but does not include death of an employee.

(A) Conversion to cash benefit of accumulated sick leave credit for an employee whose salary or wage is paid by warrant of the director of budget and management.

(1) General. An employee who has accumulated sick leave under the provisions of section 124.382 of the Revised Code shall be entitled to a cash benefit conversion of the accumulated unused sick leave balance upon separation of service. Such conversion must occur within three years from the employee's date of separation from service.

(2) Eligibility. In order to be eligible for the accumulated sick leave cash conversion benefit authorized by this rule an employee must have at least one year of state service prior to separation.

(3) Determination of amount of sick leave to be converted. An employee about to separate or who has separated from state service shall designate in writing the percentage or portion of his or her sick leave balance to be converted to cash. The portion of the accumulated sick leave credit not converted to cash at separation may be converted within three years from the employee's date of separation pursuant to this rule or restored to the employee's sick leave credit upon the employee's reinstatement or reemployment to state service pursuant to rule 123:1-32-10 of the Administrative Code. If an employee fails to designate the portion or percentage of the accumulated sick leave to be converted to the cash benefit, the entire amount of sick leave credit accumulation shall be converted to cash benefit.



(4) Payment. Payment for that percentage or portion of sick leave an employee desires to convert to a cash benefit shall be made at the employee's base rate of pay at the time of separation at the rate of one hour of pay for every two hours of accumulated balances. Payment for unused sick leave for an employee who retires from a state retirement system shall be at the rate of fifty-five per cent of the employee's base rate of pay at the time of the effective date of the employee's retirement. Payment for an employee serving in a temporary work level or an interim appointment shall be based on the base rate of pay of the employee's normal classification.

(5) A separated employee may convert all or a portion of any remaining sick leave balance one time during each twelve-month period subsequent to the employee's date of separation. A separated employee who does not convert sick leave to cash within three years from the date of separation is no longer eligible to convert such leave to cash. If a separated employee returns to service in a position that is not eligible to accrue leave, this provision applies to the employee's original date of separation and the employee is still eligible to convert any remaining sick leave balance pursuant to this rule. Any remaining sick leave balances may be restored to the employee's sick leave credit upon reinstatement or reemployment to state service pursuant to rule 123:1-32-10 of the Administrative Code.

(B) Conversion to cash benefit of accumulated personal leave credit.

(1) An employee whose salary or wage is paid by warrant of the director of budget and management who has accumulated personal leave credit under the provisions of section 124.386 of the Revised Code and rule 123:1-32-07 of the Administrative Code shall be entitled to, upon separation of service, a cash benefit conversion for personal leave credit pursuant to division (E) of section 124.386 of the Revised Code.

(2) Payment for accumulated unused personal leave credit shall be at a rate equal to an employee's base rate of pay. Payment for an employee serving in a temporary work level or an interim appointment shall be based on the base rate of pay of the employee's normal classification.

(C) Notification of option to convert sick leave and personal leave credits. Appointing authorities shall be responsible for notifying employees in writing of their right to convert sick leave and



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personal leave credits upon separation.