



Ohio Administrative Code

Rule 3342-6-11.10 Administrative policy regarding leaves of absence without pay for nonteaching unclassified and classified staff.

Effective: December 3, 2018

(A) Policy statement. A full-time employee who has completed probationary period or after one year of service with the university, whichever occurs first, or a part-time employee who has worked one thousand two hundred fifty hours the previous twelve months, may apply for a leave of absence.

(1) A leave of absence is granted for a specific purpose. The university benefits office may review the reason for the leave as stated by the employee. If it is found that the leave is not actually being used for such purpose, the leave, if started, may be canceled and the employee directed to report to work by a written notice.

(2) A leave of absence shall not be granted to permit an employee to accept "other employment."

(3) An employee requesting a leave of absence may be required to utilize accrued vacation and/or compensatory time before beginning leave without pay status. Each leave request will be individually evaluated, but final determination is at the discretion of the appointing authority.

(B) Types of leaves. Subject to the written approval by the appointing authority, the university benefits office and the vice president for human resources (or their designee), leave granted under this policy shall be limited to the following circumstances:

(1) Educational leave: A leave of absence without pay may be granted for a maximum period of two years for purposes of education, when such education would result in professional growth and development that would be of benefit to the university. The determination of whether the request for leave should be granted rests solely with the appropriate appointing authority. Renewal or extension beyond the two-year period is not authorized.

(2) Child care: Upon request, an employee will be granted up to twelve weeks of leave for the purpose of child care. At the discretion of the appointing authority, an employee may be granted an additional fourteen weeks of leave for the purpose of child care. Child care leave cannot exceed a



total of six months, must be taken consecutively and will be granted to a parent during the first twelve months following childbirth or, in the case of adoptive or foster parents, within the first twelve months of placement. All request for leave of absence for child care shall be considered on a nondiscriminatory basis without regard to the sex of the parent. An adoptive or foster parent's request for leave of absence for purposes of child care shall be considered on the same basis of that of a biological parent. This leave will run concurrently with other applicable leaves.

(3) Temporary disability: See rule 3342-6-11.3 of the Administrative Code and this register for details.

(4) Care for a member of the immediate family: A personal leave of absence, not to exceed twelve weeks may be granted to care for a member of the employee's immediate family who has a serious health condition. Immediate family is defined as an employee's spouse, parents, children, grandparents, siblings, grandchildren, brother-in-law, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, or a legal guardian.

(a) If the employee requests a leave of absence for care of a member of the immediate family, the university may require a certification from the health care provider treating the family member, stating the health condition of the family member. In addition, the health care provider must indicate the employee is needed to care for the family member and the estimated time that such care will be required. Recertification by the health care provider may be required periodically.

(b) Before approving a leave request, the appointing authority may request the employee or the member of the employee's family be examined by a licensed physician to be designated by the university. Such examination may also be required when an employee requests reinstatement from temporary disability leave. The cost of such an examination shall be paid by the university.

(c) In the event the medical documentation submitted by the employee's health care provider conflicts with the documentation submitted by the physician designated by the university, the employer may request a third opinion be obtained from a physician mutually selected by the employee and the university. The cost of such an examination shall be paid by the university and the recommendation of the physician shall be binding on both parties.



(C) Implementation.

(1) Upon completion of a leave of absence, the employee is to be returned to the position formerly occupied, or to a similar position if the employee's former position no longer exists. Any replacement in the position while an employee is on leave is to be on a temporary basis.

(2) An employee who does not return from a leave of absence and who does not formally terminate his/her service with the university will automatically be terminated effective at the end of the leave. The university may charge the employee for the cost of healthcare coverage paid by the university during the leave except in the case where the employee was unable to return to work because of health conditions or other reason beyond the employee's control.

(3) Provisions relative to leaves of absence which are embodied in current collective bargaining agreements continue in effect.

(D) Status during leave of absence.

(1) The university will continue the healthcare and related coverage and fee waiver benefit provided for in the eligible employee's benefit program until the unpaid leave is terminated or for a duration of six months, whichever occurs first, when such leave is for child care, temporary disability, or to care for a member of the employee's immediate family. If the leave is without pay and if monthly coverage contributions were required prior to the leave period, the employee must make arrangements with the staff benefits office to continue those payments during the leave.

(2) Healthcare and related coverage and the tuition fee waiver benefit will not be continued if the employee is granted a leave of absence for reasons not included in paragraph (D)(1) of this rule. Coverage may be continued by the employee by paying the total monthly premiums pursuant to COBRA. Arrangements for such coverage should be made with the staff benefits office prior to the leave of absence.

(3) An employee on leave of absence does not normally receive pay for holidays falling within the dates of the leave of absence.



(4) During a leave of absence without pay, both the employer and the employee contributions to PERS or STRS are discontinued. Accrued benefits are not forfeited, nor can they be withdrawn during a leave of absence. In certain cases service credit can be purchased by the employee for a period of time spent on a approved leave of absence. Additional information relative to purchase of retirement credits may be obtained by contacting the university benefits office.

(5) An employee on leave of absence without pay does not earn sick leave or vacation credit. However, the time spent on authorized leave of absence is evaluated in determining length of service.

(E) Application procedure.

(1) All leaves of absence and extensions thereof must be requested thirty days in advance of the date the leave is to begin, when the necessity for leave is foreseeable. If the need for a leave is not foreseeable thirty days prior to the effective date of such leave, the employee must provide notice as soon as possible on forms provided by the university.

(2) A request for leave of absence and extensions must be submitted to the employee's supervisor for review and for approval by the appointing authority.

(F) Leaves described in this policy, if granted, will run concurrently with other applicable leaves.

(G) The length of continuous leave, whether paid or unpaid, as described in this policy, shall not in any event exceed six months.