



## Ohio Administrative Code

### Rule 3342-6-11.1 Administrative policy and procedures regarding sick leave for salaried unclassified employees including faculty.

Effective: December 3, 2018

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(A) Policy. It shall be the policy of the university to provide paid sick leave for its employees in accordance with the provisions of sections 124.38 and 124.39 of the Revised Code.

(B) Crediting and charging of sick leave.

(1) Salaried full-time appointees earn sick leave at a rate of one and one-quarter day (ten hours) for each completed month of eligible service. Part-time appointees earn sick leave at a comparable rate proportionate to the percentage of full-time eligible service.

(2) Hourly full-time appointees earn sick leave at a rate of 4.64 hours per completed pay period. Part-time hourly appointees earn sick leave at a comparable rate proportionate to the percentage of full-time eligible service.

(3) Sick leave credit is also earned while appointees are in active pay status on sick leave or vacation.

(4) Service eligible for earning and using sick leave is restricted to assignments up to but not exceeding a full-time load under appointment for the academic or fiscal year, or for any regular academic term, that is, spring or fall semesters or the ten-week summer session. Additional appointments, which include those beyond a full-time during the regular academic terms, those which fall between terms, and continuing educational assignments are not eligible for earning or using sick leave.

(5) Sick leave may be accrued while an individual is on sabbatical or paid research leave, but shall not be earned or charged during an unpaid leave.

(C) Utilization.

(1) Sick leave is charged in minimum units of fifteen minutes and should be recorded in the



appropriate timekeeping system for time absent from work. Employees are charged for sick leave only after days upon which they would otherwise have been scheduled to perform service to the university.

(2) If an employee is ill on a day recognized as a legal holiday, salary will continue and be considered holiday pay and no charge will be made against accumulated sick leave.

(3) A continuous period of sick leave commences with the first day of absence and includes all subsequent work days until the employee returns to work. During any seven-day period, the maximum number of days of sick leave charged against any employee shall be five.

(4) Sick leave will be granted to employees, upon approval of the appointing authority, for the following reasons:

(a) Illness or injury of the employee or a member of the employee's immediate family;

(b) Death of a member of the employee's immediate family;

(c) Medical, dental or optical examination or treatment of the employee or a member of the immediate family;

(d) When, through exposure to a contagious disease, either the health of the employee would be jeopardized or the employee's presence on the job would jeopardize the health of others; and

(e) Disability due to pregnancy and/or childbirth and related conditions. Upon request, a pregnant employee shall be permitted to use any or all of the employee's accumulated sick leave credit only for the period of time that the employee is unable to work as a result of pregnancy, childbirth, or related medical conditions. This period may include reasonable pre-delivery, delivery, and recovery time as certified by a licensed physician. An employee using sick leave credit shall not be prevented from receiving a leave of absence without pay for the remainder of the recovery period. (See rule 3342-6-11.3 of the Administrative Code and this register).

(5) Definition of "immediate family": mother, father, brother, sister, child, step-child, step-parent,



spouse, domestic partner, grandparent, grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, legal guardian, or other person who stands in place of a parent.

(6) Where sick leave is requested to care for a member of the immediate family, the supervisor, department chairperson or university benefits may require a physician's certificate to the effect that the presence of the employee is necessary to care for the ill person.

(7) Sick leave granted by reason of death in the immediate family will not exceed five working days.

(8) Where conditions warrant, a limit of five days may be allowed for the care of the employee's wife and family during the post-natal period.

(9) An employee who becomes eligible for workers' compensation payment for the loss of time may choose to use sick leave before such payments are made. Continuation in active pay status through use of sick leave usually will provide greater advantage.

(D) Reporting and recording.

(1) All sick leave absence requests must be submitted to the employee's supervisor in advance of the date the leave is to begin, when the necessity for leave is foreseeable. If the need for leave is not foreseeable, the employee must provide notice as soon as possible.

(2) Sick leave records will be retained by human resources records, and academic personnel as applicable, and will be available for review by the employee during normal working hours.

(E) Transfer of sick leave credits. An employee who transfers from one public agency to another, or who is reappointed or reinstated, or who transfers from one state department to another shall, upon reentering and submitting certified evidence of accumulated sick leave, be credited with the unused balance of accumulated sick leave, provided the time between separation and reappointment does not exceed ten years. The words "public agency" as used above include the state, counties, municipalities and all board of education within the state of Ohio. The amount of sick leave transferred to state service shall not be greater than the maximum accumulation which would have



been allowed if all public employment had been in the state service.

(F) Conversion of sick leave upon retirement.

(1) An employee may elect to be paid for one-fourth of the accrued but unused sick leave credit upon meeting the following requirements:

(a) Upon retirement from university employment, whether from the public employee or teacher retirement system of Ohio, or through an approved university alternative retirement plan; and

(b) If the employee has accrued ten or more years of active service with the university, state of Ohio and/or any of its political subdivisions.

This payment will be based upon the employee's rate of pay at the time of retirement. Upon accepting such payment, all sick leave credit accrued up to that date will be eliminated.

(2) Such payment will be made only once to any employee. That is, an employee who returns to university or other state service after retiring may accrue and use sick leave as before, but may not convert the unused sick leave at the time of a second separation from the university.

(3) The maximum payment allowed will be one-fourth of one hundred twenty days (two hundred forty hours). Sick leave conversion does not apply to any termination or separation other than retirement.

(G) Conversion of sick leave upon death of employee.

(1) If an employee dies while actively employed by the university, and had ten or more years of state service, payment for one-fourth of the accrued by unused sick leave to his or her credit will be made in accordance with paragraph (G)(3) of this rule. This payment will be based upon the employee's rate of pay at the time of death.

(2) The maximum payment allowed will be one-fourth of one hundred twenty days (two hundred forty hours).



(3) The cash conversion of unused sick leave credit shall be paid in accordance with section 2113.04 of the Revised Code (release of decedents's wages without administration), or to the estate of the decedent.

(H) Employees failing to comply with sick leave rules and regulations will not be paid for sick leave days requested. Application for sick leave with intent to defraud will result in dismissal and refund to the university of salary or wage paid during such sick leave.