



Ohio Administrative Code

Rule 3342-6-11.6 Administrative policy regarding military leave of absence.

Effective: August 29, 2025

(A) Purpose. It is a university priority that reasonable effort will be made to ensure that faculty and staff members called to serve in military duty will be treated fairly regarding arrangements for leaves of absence. It will be the policy of the university to ensure smooth transitions for faculty and staff called to assume active military responsibilities. Units on all campuses should work diligently to respond with concern and care for the individual situation in accordance with federal and state statute, university policies, and collective bargaining agreements regarding leaves and employment.

(B) Criteria/scope.

(1) Each member of the university who is a member of the Ohio national guard, the Ohio defense corps, the Ohio naval militia, or a member of any other reserve component of the armed forces of the United States, shall be granted leave of absence from his or her respective duties without loss of pay for such time as he or she is in the military service on field training or active duty for periods not to exceed thirty-one days in any one calendar year. Per Ohio statute the following applies:

(a) The maximum number of hours for which payment can be made in any one calendar year is twenty-two days or one hundred seventy-six hours.

(b) The service does not have to be for one continuous period of time.

(C) Military leave due to regular call-up.

(1) Regular call-up for one month or less.

(a) For military call-ups of one month or less, individuals are entitled to receive leave with pay for up to twenty-two days or one hundred seventy-six hours for each calendar year.

(b) Medical, prescription, dental, vision and retirement benefits are continued for the individual and



covered dependents as if the individual was not on leave.

(2) Regular call-up exceeding one month.

(a) For military call-ups that exceed one month, individuals are entitled to receive leave without pay for up to a maximum of five years.

(b) Employees on active duty may elect to use the military health care system or may continue existing university medical, dental and vision coverage for the duration of the call-up period. The cost of coverage will remain the same as if the individual were not on leave. Upon return from military leave, employees are entitled to reenroll in university health benefits without any waiting period.

(c) Retirement contributions to state systems are not required during the period of military leave. Individuals may purchase military service time in accordance with the rules of their respective public retirement systems (OPERS, STRS). Purchasing military service time is not available for Alternative Retirement Plan (ARP) participants.

(D) Military leave due to presidential or congressional order.

(1) For call-ups of one month or less, pay and benefits entitlements are the same as for a regular call up.

(2) For call-ups that exceed one month:

(a) The university will provide the employee with a monthly pay differential equal to the difference between the current gross monthly wage or salary and the sum of the gross military pay and allowances.

(b) Employees on active duty may elect to use the military health care system or may continue existing university medical, dental and vision coverage for the duration of the call-up period. The cost of coverage will remain the same as if the employee were not on leave. Upon return from military leave, employees are entitled to reenroll in university health benefits without any waiting period.



(c) Retirement contributions are the same as stated in this policy.

(E) Implementation.

(1) Military leave, as described, must be requested in writing prior to the absence. The faculty or staff member is required to submit to their director or manager and the appointing authority the written request for leave, along with an order or statement from the appropriate military commander as evidence of such duty. Requests for military leave and supporting documentation must be submitted to human resources records for staff and to academic personnel for faculty.

(2) If members in the Ohio national guard to assist civil authorities in such duties as flood and riot control or civil defense, and such duty exceeds military leave authorized for the year, they shall be granted emergency leave without pay. Members of any other reserve component of the armed forces of the U.S. shall also be granted emergency leave without pay if called to active duty and that term exceeds the annual authorized amount.

(3) Faculty or staff members who have worked for the university at least ninety calendar days will be granted a leave of absence without pay to be inducted or otherwise enter military service. They will not be paid for such leave unless they are members of reserve components as specified above.

(4) A faculty or staff member who reenlists while on active duty, or a commissioned officer who voluntarily enters on extended active duty beyond that required upon accepting a commission, is not eligible for immediate reinstatement.

(F) Reemployment rights.

(1) Faculty or staff members will be reinstated into university employment in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended upon application for reemployment according to the requirements of USERRA.

(a) Reinstatement must be accomplished promptly within thirty days after application is received.

(b) A copy of the discharge or certificate of service must be submitted with all requests for



reinstatement of reappointment.

(2) Return from duty.

(a) For service of less than one month, the employee must apply to HR records for staff and academic personnel for faculty for reinstatement no later than the beginning of the first full regularly scheduled work period that starts at least eight hours after return from military service, after allowance for safe travel home from the military duty location and an eight-hours rest period. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible after the expiration of the eight hours.

(b) For service more than one month but fewer than six months, the employee must apply for reinstatement no later than fourteen days after release from active service. If submission of a timely application is impossible or unreasonable through no fault of the employee, the application must be submitted as soon as possible on the next day when submitting the application becomes possible.

(c) For service of more than six months, the employee must apply for reinstatement no later than ninety days after release from active service. The reporting or application deadline may be extended for employees who are hospitalized or convalescing because of an injury or illness incurred or aggravated during the performance of military service.

(3) The following three-part reemployment process required under USERRA will apply for people with a disability incurred during service:

(a) The employer must make a reasonable effort to accommodate the person's disability so that the person can perform the position that the person would have held if the person had remained continuously employed.

(b) If, despite reasonable accommodation efforts, the person is not qualified for the position in paragraph (F)(3)(a) of this rule due to his or her disability, the person must be reemployed in a position of equivalent seniority, status, and pay, so long as the employee is qualified to perform the duties of the position, or could become qualified to perform them with reasonable efforts by the employer.



(c) If the person does not become qualified for the position in either paragraph (F)(3)(a) or (F)(3)(b) of this rule the person must be employed in a position that, consistent with the circumstances of that person's case, most nearly approximates the position in paragraph (F)(3)(b) of this rule in terms of seniority, status and pay.

(4) Faculty and staff members are entitled to all salary benefits or other advancement accruing to their position during their absence.