



Ohio Administrative Code

Rule 3349-7-145 Emergency sick leave donation rule.

Effective: October 28, 2010

(A) Purpose

To establish an emergency sick leave donation rule.

(B) Scope

This rule applies to faculty, administrative staff, unclassified hourly employees and classified civil service employees. The rule does not apply to student employees.

(C) Definitions

(1) Consult rule 3349-7-01 of the Administrative Code.

(2) "Active Pay Status" for purposes of this rule includes regular hours worked, vacation leave, sick leave, personal leave, compensatory time, legal holiday leave, winter break leave, and civic duty leave.

(3) "Legal Holiday Leave" is a day of paid leave that is designated by the state of Ohio and approved by the board of trustees.

(4) "Parental Leave" is the period of time taken after birth or adoption of a child by a parent, legal guardian or person standing in loco parentis.

(D) Rule statement

(1) Eligibility and payments

(a) Employees may apply for funds through the emergency sick leave donation program if they are in



critical need of paid leave due only to the personal medical necessity of the employee. The human resources department will consider whether to approve the payment of funds under the emergency sick leave donation program on a bi-weekly basis. Employees may not apply to the emergency sick leave donation program to cover unpaid absences due to the care of family members.

(b) The department of human resources has the discretion to approve or not approve any amount of hours requested up to the life-time maximum. There is no appeal from this decision.

(c) Employees must have one year of service at university and must have exhausted all sick leave, vacation leave and compensatory time before they are eligible to apply for the emergency sick leave donation program.

(d) Employees must have an illness or injury that will require the employee to be absent from the worksite for a period of time exceeding eighty consecutive scheduled work hours and their absence will result in the loss of income due to the lack of accrued sick leave, vacation leave and compensatory time. Elective surgery, normal pregnancy and delivery, or parental leave does not qualify the employee to participate in the emergency sick leave donation program.

(e) If an employee is eligible, but unable to apply due to a physical or mental disease or disability, a family member or other authorized representative may apply on behalf of the employee.

(f) Payments under this rule will terminate when the employee receives funds from any other benefit source. If any payments from other sources are received for the same period of time, the funds paid by the university must be refunded to the university.

(g) The employee's right to privacy regarding the nature of the qualifying illness or injury will be maintained to the extent allowed by law.

(h) An employee is limited to a lifetime maximum number of paid hours under the sick leave donation program. The lifetime maximum is five hundred paid hours.

(i) If a legal holiday or winter break leave occurs while the employee is receiving paid hours under the emergency sick leave donation program the employee will not be eligible to receive legal holiday



leave compensation or winter break leave compensation.

(2) Donations

(a) Employees who donate must:

(i) Be in active pay status;

(ii) Have five years of service at the university and must retain a minimum of four hundred eighty hours of paid sick leave for their own use;

(iii) Do so voluntarily; and

(iv) Donate in increments of eight hours.

(b) The maximum donation per employee per year is one hundred twenty hours.

(c) Donations will be accumulated in a pool and will not be returned to the employee.

(d) The identity of the donors will remain anonymous to the extent permitted by law.

(3) Accrual of sick and vacation leave hours during use of sick leave donation pool hours.

Sick leave and vacation leave hours do not accumulate while on an unpaid leave of absence or while receiving paid hours from the emergency sick leave donation pool.