



Ohio Administrative Code Rule 3349-8-100 Voluntary disability separation.

Effective: October 28, 2010

(A) Purpose

To establish a rule for granting voluntary disability separation for classified civil service employees.

(B) Scope

This rule applies to classified civil service employees.

(C) Definitions

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

(2) "Voluntary Disability Separation" is a severance of employment when an employee is unable to perform the essential job duties of the position due to a disabling illness, injury or condition. A voluntary disability separation occurs when an employee does not dispute the inability to perform the essential job duties of the position due to a disabling illness, injury or condition.

(3) "Active Work Status" means the conditions under which an employee is actually in a work status and is eligible to receive pay but does not include vacation pay, sick leave, bereavement leave compensatory time, holiday leave, personal leave and disability leave.

(D) Rule statement

(1) The appointing authority may grant an employee's request for voluntary disability separation or may require the employee to submit to a medical or psychological examination. If the examination supports the employee's request, the appointing authority shall grant the employee's request for voluntary disability separation. If the medical examination does not support the employee's request, the appointing authority shall not approve the employee's request for voluntary disability separation.



(2) An employee who is granted a voluntary disability separation waives the right to a pre-separation hearing and to an appeal to the state personnel board of review.

(3) Employees who are granted a voluntary disability separation shall retain the right to be reinstated to their position for two years from the date that the employee is no longer in active work status due to a disabling illness, injury or condition. An employee may submit a written request for reinstatement from a voluntary disability separation in accordance with the procedure established by the university.

(4) For purposes of this rule only, "active work status" does not include those hours worked during a period of light duty accommodation or return to work in a reduced schedule.