



Ohio Administrative Code

Rule 3349-8-95 Sick, personal and bereavement leave.

Effective: October 28, 2010

(A) Purpose

To establish a rule for sick leave and personal leave that complies with the Ohio law as it pertains to unclassified hourly employees and classified civil service employees.

(B) Scope

This rule applies to unclassified hourly employees and classified civil service employees at the institution.

(C) Definitions

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

(2) "Immediate Family" means an employee's spouse, parents, children, grandparents, siblings, grandchildren, sister-in-law, brother-in-law, mother-in-law, father-in-law, daughter-in-law, son-in-law, step-parents, step-children, step-siblings, or a legal guardian or other person who stands in loco parentis.

(3) "Licensed practitioner" refers to a person who is licensed to practice medicine, surgery or psychology in the state of Ohio.

(4) "Personal Leave" refers to paid leave that may be used for any purpose with the prior approval of the immediate supervisor.

(D) Policy statement

(1) Employees shall earn sick leave credit at the rate of four and six-tenths hours for each eighty



hours of completed service. Sick leave credit shall be prorated to the hours of completed service in each pay period.

(2) Sick leave used by an employee shall be charged in minimum units of an hour. Employees shall be charged sick leave only for the days and hours for which they would have otherwise been regularly scheduled to work. Sick leave shall not exceed the amount of time an employee would have been regularly scheduled to work in any pay period.

(3) An employee who is unable to report for work, and who is not on a previously approved day of vacation leave, sick leave, compensatory time, leave of absence, or other approved leave shall be responsible for notifying the employee's immediate supervisor. The notification must be made within one-half hour after the time the employee is scheduled to report for work, unless emergency conditions prevent such notification.

(4) In the case of a condition exceeding five consecutive business days, a statement from a licensed practitioner specifying the employee's inability to report to work and the probable date of return to work shall be required.

(5) The use of sick leave

(a) With the approval of an employee's immediate supervisor, sick leave may be used by an employee only for the following reasons:

(i) Illness, injury, or pregnancy-related condition of the employee.

(ii) Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.

(iii) Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed practitioner.

(iv) For bereavement leave upon the death of a member of the employee's immediate family for a period not to exceed five business days.



(v) Illness, injury, or pregnancy-related condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.

(vi) Examination, including medical, psychological, dental, or optical examination of a member of the employee's immediate family by an appropriate licensed practitioner where the employee's presence is reasonably necessary.

(vii) Donation of leave to a sick leave bank in accordance with the leave donation policy of the institution.

(b) Each appointing authority may require an employee to furnish a satisfactory written, signed statement to justify the use of sick leave. If professional attention is required by the employee or member of the employee's immediate family, a certificate, from a licensed practitioner, stating the nature of the condition may be required by the appointing authority to justify the use of sick leave. Falsification of information in the time record or on any other written statement or certification regarding sick time use shall be grounds for disciplinary action up to and including dismissal.

(6) An employee who fails to comply with this policy shall not be allowed to use sick leave for time absent from work under such non-compliance. Application for use of sick leave with the intent to defraud shall be grounds for disciplinary action which may include dismissal. The appointing authority may require an employee to furnish a satisfactory written signed statement to justify the use of sick leave.

(7) If any disabling illness or injury continues past the time for which an employee has accumulated sick leave, the appointing authority may authorize a leave of absence without pay in accordance that policy or if the employee is eligible, recommend disability leave benefits in accordance with that rule.

(8) Personal leave

(a) Each employee who upon completion of one year of employment has accumulated at least eighty



hours of sick leave, may convert earned but unused sick leave to personal leave according to the following schedule:

(i) After one year of service, if an employee has between eighty and two hundred thirty-nine hours of sick leave accrued, the employee may convert eight hours of sick leave to personal leave.

(ii) After two years of service, if an employee has between two hundred forty hours and four hundred seventy-nine hours of sick leave accrued, the employee may convert twelve hours of personal leave.

(iii) After five years of service, if an employee has four hundred eighty hours of sick leave accrued or more, the employee may convert sixteen hours of sick leave to personal leave.

(b) Personal leave must be used in blocks of at least four hours. Personal leave may not be used to extend an employee's date of resignation or date of retirement, vacation leave.

(c) Request for use of personal leave must be made by the employee and approved in advance by the immediate supervisor.

(d) Personal leave cannot be carried over from year to year.

(9) Transfer of sick leave credits

(a) An employee who transfers from one Ohio public agency to another, shall be credited with the unused balance of the accumulated sick leave credit up to the maximum sick leave accumulation permitted in the public agency to which the employee transfers.

(b) An employee who is rehired within ten years of the employee's separation from state of Ohio service shall be credited with any sick leave that has not been converted to cash and shall be prohibited from further conversion until separation from state service.

(c) If an employee fails to notify the appointing authority of the employee's desire to restore sick leave and the leave is then converted to cash, the employee waives the ability to restore the accrued



and unused leave credit.

(10) The use of sick leave shall be documented on the employee's time record.

(11) Unused sick leave shall be cumulative without limit.