



Ohio Administrative Code

Rule 123:1-32-10 Transfer of sick leave, personal leave and vacation leave credits, restoration of sick leave, personal leave and vacation leave credit.

Effective: April 5, 2015

(A) Transfer of leave.

(1) Transfer of sick leave credit. An employee who transfers from one 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. An employee who is paid directly by warrant of the director of the office of budget and management that transfers to a public agency in which employees are paid directly by warrant of the director of budget and management shall be credited with the entire unused sick leave balance.

(2) Transfer of personal leave credit. An employee who transfers from one public agency to another shall be credited with the unused balance of his or her entire personal leave credit, provided that if the employee is no longer eligible to receive personal leave credit in accordance with section 124.386 of the Revised Code, the employee will receive personal leave cash conversion benefits as provided in division (E) of section 124.386 of the Revised Code.

(3) Transfer of vacation leave credit.

(a) An employee who transfers from one public agency to another shall be credited with the unused balance of the accumulated vacation leave credit up to the maximum vacation leave accumulation permitted by the public agency to which the employee transfers. For purposes of this rule, "public agency" includes both county and state of Ohio service for purposes of transferring unused vacation pursuant to section 124.13 of the Revised Code.

(b) When an employee transfers from a position that has been authorized for an annual leave accrual maximum greater than the maximum allowed in division (B) of section 124.134 of the Revised Code, the employee forfeits the right to be credited with the vacation leave that is in excess of the maximum allowed by division (B) of section 124.134 of the Revised Code, and instead shall receive payment for the excess leave at a rate equal to the employee's base rate of pay for the position



authorizing the greater annual leave accrual maximum.

(c) When an employee transfers from one public agency to another the releasing public agency shall provide the receiving public agency with documentation certifying the employee's balance to be transferred and that the releasing agency has eliminated the balance from their records upon transfer.

(B) Restoration of leave credit upon reemployment.

An employee shall be responsible for notifying the employee's current appointing authority of the amount of unconverted leave and that employee shall provide reasonable documentation in support of any claim. Upon request by that employee or the employee's current appointing authority, the employee's previous appointing authority shall provide the employee or the employee's appointing authority with adequate documentation regarding the previously accumulated leave of which the former appointing authority is aware.

(1) Restoration of sick leave credit. An employee who is rehired within ten years of the employee's separation from state service to a position that is eligible to accrue leave 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 unless the conversion is pursuant to section 124.383 of the Revised Code.

(a) An employee who had previously accumulated sick leave credit under the provisions of section 124.382 of the Revised Code and rule 123:1-32-01 of the Administrative Code, shall, upon reemployment in the public service, have restored all unused sick leave credit which was not converted to a cash benefit under the provisions of section 124.384 of the Revised Code or any other conversion provisions provided the employee is reemployed within ten years.

(b) An employee who had previously accumulated sick leave credit under the provisions of section 124.38 of the Revised Code shall upon reemployment in the public service have restored all unused sick leave credit which was not converted to a cash benefit under any policies or provisions established by the employee's employing agency or political subdivision provided the employee is reemployed within ten years.



(2) Restoration of personal leave credit. An employee who had previously accumulated personal leave credit under the provisions of section 124.386 of the Revised Code shall, upon reemployment in the public service, have restored all accrued and unused personal leave credit which was not converted to a cash benefit, provided the employee is reemployed within thirty days of the date on which the employee was last separated from public service.

(3) Restoration of vacation leave credit. An employee who had previously accumulated vacation leave credit under the provisions of section 124.134 of the Revised Code shall, upon reemployment in the public service, have restored all accrued and unused vacation leave credit which was not converted to a cash benefit, up to a maximum allowable for the employee's new position, provided the employee is reemployed within thirty days of the date on which the employee was last separated from public service. If the employee has more vacation leave credit than allowable under the new position, the employee shall receive payment for the excess leave at a rate equal to the employee's base rate of pay for the position authorizing the greater annual accrual maximum.

(4) Failure to notify. If an employee fails to notify the appointing authority of the employee's desire to restore leave and the leave is then converted to cash, the employee waives the ability to restore the accrued and unused leave credit.