



Ohio Administrative Code

Rule 3337-40-29 Sick and bereavement leave for faculty and administrative appointees.

Effective: July 7, 2016

The version of this rule that includes live links to associated resources is online at

<https://www.ohio.edu/policy/40-029.html>

(A) Overview

This policy provides for the accrual and use of sick and bereavement leave (often "sick leave" in the following) and the conversion and payment of unused sick leave at time of retirement or upon death of an employee.

Ohio university faculty and administrative presidential appointees may earn and accrue sick leave, which may be used for paid sick leave when necessary. Sick leave will typically be earned at the rate of 1.25 days for each month of service. Sick leave credit will be earned based on the appointment and employment type of the individual. There is no limit as to the amount of sick leave which may be accumulated. The procedures regarding usage, notification, and verification of sick leave are detailed below.

(B) Sick and bereavement leave

(1) Definition

Sick and bereavement leave is the authorized absence from duties due to:

(a) Personal illness, injury, or temporary disability.

(b) Exposure to contagious disease which could be communicated to other members of the university community, or



(c) Illness, injury, or death in the individual's immediate family. Immediate family is defined as: spouse, son, daughter, mother, father, brother, sister, grandparent, grandchild, father-in-law, mother-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, and a legal guardian or other person who stands in place of a parent (in loco parentis), plus domestic partners and the domestic partner's immediate family (see the discussions under "Definitions" and "Benefits" in policy 40.013, for details). Bereavement leave granted for a death in the immediate family shall not exceed five working days.

(d) Medical, dental, psychological, or optical examination or treatment of an employee or a member of his or her immediate family.

(2) Approval

Sick and bereavement leave is granted on the approval of the department chairperson or the supervisor to whom the individual reports; such a request should be made on the first day of absence or in advance, if possible. The individual, upon return to work, must complete a "Paid Time Off: Faculty and Staff Form." The university reserves the right to require the individual to:

(a) Furnish medical evidence of illness, including providing medical releases,

(b) Provide medical verification of ability to return to work,

(c) Provide other appropriate or necessary information, e.g. proof of medical care of family member, death of family member, etc.

(3) Usage

A consecutive period of sick leave includes all normally scheduled work days except holidays observed by the university during an employee's appointment period. No presidential appointee shall be charged with more than five sick leave days in any seven day period.

(C) Accumulation of sick leave benefit



(1) The benefit will accumulate at the rate of 1.25 days per calendar month or fifteen days per year for all full-time presidential appointments. (Full-time presidential appointee, for purposes of this policy, is defined as anyone holding a regular full-time nine-, ten-, eleven-, or twelve-month appointment.) Accrual of sick leave will be unlimited. Time spent on vacation, paid military leave, faculty fellowship leaves, paid professional leave, or sick leave will count toward accumulation of benefits. There will be no accumulation of benefits while on an unpaid leave of absence.

(2) Part-time faculty (groups I, II, and IV) and administrators (as defined in employee handbooks and in policy 41.010) are also eligible for sick leave accrual and usage. The monthly accrual shall be calculated on a prorata basis based on the individual's main appointment in effect for the month of accrual.

(3) An employee who transfers from one state or local Ohio public agency to another (Ohio public agency refers to governmental entities under the control of Ohio's state or local government), or who is reappointed or reinstated, will be credited with the unused balance of accumulated sick leave--up to the maximum of the sick leave accumulation permitted in the public agency to which the employee transfers and provided the time between separation and reappointment does not exceed ten years. Written proof of sick leave credits must be furnished by the department that the individual is leaving to the new department.

(4) The use of sick leave beyond an individual's accumulated balance is defined as an unauthorized absence. These individuals who are absent due to any of the reasons outlined in part (B)(1) of this policy, and who have exhausted their accumulated sick leave, will have their gross monthly salary reduced in proportion to the total duration of the unauthorized absence. The adjustment will be made by the payroll manager who will notify the appropriate dean or department head accordingly.

(D) Utilization of the benefit

The period covered by use of accumulated sick leave benefits is all consecutive normally scheduled university work days exclusive of the university's holidays during the period of sick leave. Usage of sick leave shall be recorded using the online absence management system.

(E) Retirement or death benefits for accumulated sick leave



(1) Conversion and payment of unused sick leave at retirement

An employee retiring with ten or more years of creditable state service may elect to be compensated for one-fourth of his or her accrued but unused sick leave not to exceed thirty days (equal to one-fourth of one hundred twenty days); election must be made no later than sixty days after the date of retirement. Payment will be based upon the employee's rate of pay at the time of regular or disability retirement. Such payment may be made only once to an employee and only to those employees who are on the active payroll of Ohio university at the time of retirement. The two mutually exclusive options are:

- (a) To be paid for one-fourth their sick leave balance up to a maximum of thirty days, or
- (b) To carry forward the total sick leave balance for future anticipated state employment. This option precludes any future payoff from Ohio university.

For purposes of determining the sick leave conversion, the following calculation shall be used. Individual faculty and administrators on full-time nine-, ten-, eleven-, or twelve-month appointments shall have their salary divided by the respective number of months they are under appointment. This monthly salary shall in turn be divided by twenty-two days to determine the per diem rate for calculating retirement benefits. Part-time faculty and administrators will have their sick leave pay-off calculated based on their total gross earnings for the most recent twelve-month period, three fiscal quarters, or two academic semesters, as appropriate.

The payment of the sick leave conversion under this policy will eliminate all sick leave credit of the faculty or administrative appointee at the time of retirement, and payment will be made only once to any individual. Sick leave conversion does not apply to any termination or separation other than retirement (or death in service, as described in part (E)(2) of this policy). An employee who returns to university service after retiring may accumulate and use sick leave as before, but may not convert the unused sick leave at the time of any subsequent separation.

(2) Conversion and payment of unused sick leave upon death.



In the event of the death of an employee with ten or more years of creditable state service, one-fourth of the employee's accrued but unused sick leave, not to exceed thirty days (equal to one-fourth of one hundred twenty days), will be paid to the employee's survivors or to the employee's estate in accordance with the Revised Code. The amount of the payment will be calculated as described in part (E)(1) of this policy.

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