



Ohio Administrative Code Rule 3344-63-04 Types of leave.

Effective: April 5, 2018

(A) Holiday observance.

(1) The ten paid holidays granted university employees are:

(a) New Year's day

(b) Martin Luther King day

(c) Presidents' day

(d) Memorial day

(e) Independence day

(f) Labor day

(g) Columbus day

(h) Veterans' day

(i) Thanksgiving day

(j) Christmas day

(k) A holiday falling on Sunday will be observed on the following Monday, and a holiday falling on Saturday will be observed on the preceding Friday. Employees will be notified if any changes occur.

(l) The administration may establish alternative days or observance for the following holidays:



Martin Luther King day, President's day, and Columbus day.

(m) Full-time employees with work schedules other than Monday through Friday are entitled to receive pay for any holiday, which is observed on their day off.

(2) Holiday compensation. Full-time employees, regardless of their work shift or schedule, are automatically entitled to eight hours of holiday pay whether they work on the holiday or not, provided they are in active pay status for the entire shift on the scheduled work day immediately preceding and following the holiday. Part-time employees are entitled to holiday pay for that portion of any holiday for which they would normally have been scheduled to work, provided they are in active pay status for their entire shift on the scheduled work day immediately preceding and following the holiday.

(3) Compensation for working on a holiday will be at the time-and-one-half rate and will be in addition to their holiday pay. Compensatory time off may be mutually agreed to by the supervisor and employee as the method of compensation for work performed on a holiday.

(4) Holiday overtime calculation. When calculating overtime for a calendar week that includes a holiday, the automatic hours of holiday pay will be used in the calculation of overtime. However, any hours actually worked on the holiday will not be included in the calculation for overtime because these hours will already be paid at the premium holiday rate.

(5) Holidays during leave. If a holiday occurs during a period of paid sick or vacation leave, the employee will receive holiday pay and will not be charged for sick leave or vacation. Payment will not be made for a holiday that occurs during an unpaid leave of absence. A leave of absence should neither start nor end on a holiday.

(6) An employee who is absent without leave on a workday immediately preceding and following a holiday is denied the holiday pay.

(B) Vacation leave.

(1) Full-time classified non-bargaining staff members are eligible to use earned vacation leave after



completing one year of service at CSU. Upon completing the one year service requirement, eighty hours are added to the employee's vacation accrual. The staff member continues to earn vacation leave at a rate that is based on years of service at the university. Full-time staff who have unpaid hours within a pay period earn vacation on a pro-rated basis. Classified part-time staff appointed to a position of one-half time or more will earn vacation leave on a prorated basis. Staff members appointed at less than one-half time will not earn vacation leave.

(2) Full-time classified staff earn vacation leave based on their years of paid public service with Cleveland state university, the state of Ohio, or one of its political subdivisions, as follows:

Completed Service years:	Weeks (Hours):	Accrual per 80 hours active pay status
1 through 7	2 weeks (80 hours)	3.1 hours
8 through 14	3 weeks (120 hours)	4.6 hours
15 through 24	4 weeks (160 hours)	6.2 hours
25 and over	5 weeks (200 hours)	7.7 hours

(3) After completion of the eighth year of service, an additional forty hours of vacation is entered into the vacation accrual. Then employees begin to accrue at the higher rate, 4.6 hours. Upon completion of fifteen and twenty- five years of service, an additional forty hours of vacation is entered into the vacation accrual, and employees accrue at the rate of 6.2 and 7.7 hours, respectively.

(4) Vacation requests. Vacation leave should be scheduled at a time mutually convenient to the employee and the supervisor. Leave shall be available to the employee to the extent earned, provided that the employee's supervisor or unit head approves the dates for such leave in advance. When a holiday occurs during vacation leave, employees receive their normal pay for the holiday; the pay is not charged to vacation leave.

(5) Annual carryover limit. Classified non-bargaining staff members may carry over from the last full pay period in the month of June to the beginning of the succeeding pay period, a maximum of thirty days (two hundred and forty hours) of accumulated vacation leave. This vacation leave carryover limitation does not apply to employees who, as of June 30, 1995 had more than eighteen years of continuous service at Cleveland state university. A carryover exemption does not apply to



the accrual limits for unused vacation throughout the upcoming fiscal year, or payout of unused vacation hours at separation or retirement.

(6) Non-bargaining unit members may accrue up to the maximum amount earned in three years, subject to the thirty-day maximum carry over. At no time may the number of accumulated vacation hours exceed the number of hours earned in a three-year period.

(7) Payout upon termination or retirement. Upon termination of employment, employees who have completed one year of service at Cleveland state university are entitled to payment for earned but unused vacation time to a maximum of three years of vacation accrual. Vacation time may not be taken to exhaust accrued vacation hours subsequent to notice of resignation or retirement of employment from the university.

(C) Sick leave.

(1) Sick leave with pay is a benefit available during absence due to personal routine medical care, illness, injury, or exposure to contagious disease; for the illness or medical attention of a member of the immediate family; or death of a member of the immediate family. The immediate family includes mother, father, brother, sister, spouse, daughter, son, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparent, grandchild, registered same-sex domestic partner/spouse, dependents of a registered same-sex domestic partner/spouse legal guardian, stepparent, stepchild or other person who stands in place of a parent.

(2) Bereavement leave: Up to five days of accumulated sick leave may be used for bereavement in the event of the death of a member of the immediate family.

(3) Accrual and utilization. The provisions for normal accrual and utilization of sick leave benefits are:

(a) Accrual: Sick leave credit will accumulate at a rate of 4.6 hours per eighty hours of service without limit, and including periods of vacation and sick and other paid leave. Staff on less than full-time appointments shall receive sick leave credits proportionate to the percent of time or hours worked.



(b) Transfer of sick credit from other public or state employers: If a staff member transfers from another state of Ohio agency to Cleveland state university, accumulated sick leave credits will transfer to the extent allowed by law. The former employer of the staff member transferring credits from another state of Ohio agency or public employer must furnish proof to the university, in writing, of sick leave credits.

(c) Approval of sick leave requests: For planned absences, the staff member must notify the appropriate supervisor and gain prior approval. For unplanned absences, the payment of sick leave will be made with the approval of the appropriate supervisor. Sick leave may be used in tenths of an hour. Employees need to report their absences daily and in accordance with their departments' call off procedures. Sick leave may not be used for vacation purposes or for personal business. Falsification of the reason for sick leave usage may be grounds for disciplinary action including dismissal.

(d) The university reserves the right to require proper evidence of illness in cases of planned and unplanned absence and prolonged or repeated absence. The university will ordinarily not require such evidence in the case of illness or injury of less than five days' duration except in the case of employees who frequently take sick leave for one to five days and the employee has been so notified in writing.

(4) Exhaustion of paid sick leave: If the absence due to the employee's illness or injury or immediate family member extends beyond the availability of accrued sick leave, the staff member may request the use of accrued vacation leave and compensatory time.

(5) Sick leave may not be taken to exhaust accrued sick leave hours subsequent to notice of resignation or retirement of employment from the university.

(D) Medical leaves of absence.

(1) Family and Medical Leave Act. The university complies with the requirements of the Family and Medical Leave Act of 1993 (FMLA). The university retains the right to implement regulatory technical corrections as necessary. The department of human resources shall develop guidelines for



eligibility and the use of FMLA leave.

(a) The Family and Medical Leave Act provides eligible employees with up to twelve weeks (four hundred and eighty hours) of leave for certain family and medical reasons. Cleveland state university requires employees to substitute any available accrued sick leave, accrued vacation leave, or compensatory time (comp time) in this stated order of priority, for any unpaid FMLA leave.

Substitution of paid leave for unpaid FMLA leave does not extend the length of FMLA leave. Paid leave will run concurrently with the employee's FMLA entitlement.

(b) Extension of leave beyond FMLA: Staff may request additional leave of absence to continue leave beyond the twelve week FMLA leave period not to exceed six months from the date sick leave is exhausted.

(2) Non-FMLA medical leave. Staff members who do not qualify for FMLA may apply for the following continuous leaves of absence for their own medical needs:

(a) Medical leave: Employees who are injured, physically incapacitated, or unable to work for other medical reasons may apply for and shall be granted a medical leave of absence, the duration of which is based on medical necessity as determined by the university's leave administrator. The University will require certification of the medical necessity for the leave. Medical leave may not exceed six months.

(b) Timely application for leave: Whenever possible a written request for the leave should be made at least thirty days prior to commencement of the leave, although in emergency situations, leave can be approved retroactively.

(c) Leave request: Employees must notify their supervisor of their intent to apply for leave. An employee's request for a leave of absence should be submitted in writing to the department of human resources benefits accompanied by medical certification.

(d) Paid leave: Staff members must use accrued sick leave to the extent that it is available. Once accrued sick leave is exhausted, accrued vacation leave and compensatory time (comp time) must be used if available.



(e) Non-paid leave: Unpaid leave may be taken if accrued sick leave, vacation leave, and comp time are not available or exhausted.

(E) Personal leave

(1) Non-paid leave. An employee who has completed one full year of service may request an unpaid leave of absence up to six months for personal reasons. Such a leave may be granted by the department of human resources upon recommendation by the employee's department head.

(2) Military leave. Cleveland state university will comply with the appropriate federal and state statutes, codes, and regulations pertaining to military leave and the return to work.

(3) Jury duty. An employee who is subpoenaed to attend court proceedings as a witness (not as a party) or to serve on jury duty for the United States, the state of Ohio, or a political subdivision will receive full pay from the university for regular work hours.