



Ohio Administrative Code

Rule 3349-8-50 Leave of absence without pay.

Effective: [October 28, 2010](#)

(A) Purpose

To establish a rule for granting leaves of absence that complies with the federal and Ohio law.

(B) Scope

This rule applies to all administrative staff.

(C) Definitions

- (1) "Appointing Authority" is the person who has the power to appoint or remove an employee from a given position. For purposes of this rule, the appointing authority is the division director.
- (2) "Division Director" is the administrative head of a major organizational unit of the university as designated by the president.
- (3) "Leave of absence without pay" refers to a temporary separation from active pay status, authorized by the appointing authority during which no compensation from the university is paid.
- (4) "Licensed Practitioner" means a person who is licensed to practice medicine, surgery, or psychology.

(D) Rule statement

- (1) All leaves of absence without pay must be requested in writing. The request shall be submitted to the employee's immediate supervisor and the director of human resources. The request shall state the reasons for the leave absence and the dates for such leave. The appointing authority in consultation with the director of human resources, with the approval of the immediate supervisor may grant or



deny the request in writing.

(a) Leaves of absence without pay may be granted for a maximum of six months.

(b) If a leave is not used for the purpose(s) for which it was granted, the director of human resources may cancel the leave and direct the employee, in writing, to report for work.

(c) An employee, who fails to return to work within three working days of the completion of a leave of absence without pay, or a cancellation of a leave of absence without pay, without explanation to the director of human resources and the immediate supervisor, may be terminated. An employee who fails to return to work from a leave of absence without pay and is subsequently terminated is deemed to have a termination date corresponding to the starting date of the leave of absence without pay. Such a termination is a termination for just cause and requires no notice under the university rule on appointment and termination.

(2) Employees do not accrue vacation leave, sick leave nor do they receive holiday leave pay or winter break leave pay during the period of leave. They are also not eligible to receive annual increases, unless approved by the division director after consultation with the director of human resources. Such approval must be in writing.

(3) This rule governs leave without pay other than leave granted under The Family and Medical Leave Act of 1993, 29 U.S.C. 2601 (FMLA).