



Paid Leave Programs

Policy 6.27

Office of Human Resources

Applies to: Faculty and staff

POLICY

Issued: 06/22/1997
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The university strives to recruit and retain a world class faculty and staff and to stand out as an employer of choice. The university recognizes that supporting faculty and staff as they balance career and family life ultimately benefits the faculty, staff, and institution alike. The university provides paid vacation, sick, parental, jury duty/court appearance, and organ donation leave to respond to employee needs. Vacation donation provides financial assistance during approved unpaid leaves for: life-threatening illness or injury of self or immediate family members; childbirth, adoption and foster care placement; or death of an immediate family member.

Definitions

| Term | Definition |
|--|---|
| Active pay status | Conditions under which an employee is eligible to receive pay and includes but is not limited to vacation leave, sick leave, overtime, compensatory time off and holidays. |
| Adoptive child | A child up to 18 years of age who is adopted through public, private, domestic, international or independent means and who is not the step-child of the adoptive parent. |
| Adoptive parent | A parent who has taken a child into one's family, through legal means, to raise as one's own child. |
| Birth mother | A female who gives birth to a child. |
| Domestic partner | An opposite- or same-sex adult partner who has met the requirements of and has a completed Affidavit of Domestic Partnership on file with the department and the Office of Human Resources. |
| Father | A male who is legally responsible for child rearing as the male spouse or domestic partner of the birth mother. |
| Immediate family member | Spouse; domestic partner; mother; father; sister; brother; biological, adopted, or foster child; stepchild; legal ward; grandparent; grandchild; mother-in-law; father-in-law; sister-in-law; brother-in-law; daughter-in-law; son-in-law; grandparent-in-law; grandchild-in-law; or corresponding relatives of the employee's partner; other persons for whom the employee is legally responsible; and anyone who stood in loco parentis to the employee as a child. To use leave for the care of a domestic partner or for the corresponding relative of the partner, a completed Affidavit of Domestic Partnership must be on file with Human Resources Benefits Services . |
| Life threatening illness or injury | An illness, injury, impairment, or physical condition that a licensed physician certifies as terminal or life threatening. |
| Ohio public agency | Includes city, county, and state employers within Ohio and Ohio National Guard service. |
| Stillbirth | The loss of a fetus during or following the 20 th week of pregnancy. |
| Unpaid leave | Leave without pay for personal or medical reason that has been approved by the department per the process outlined in the Unpaid Leave Policy 6.45. |
| Year of service (for parental leave eligibility) | The 12 month period immediately prior to the date of the birth or adoptive event and the employee must have obtained at least 1,560 hours (annual equivalent of 75% FTE) of active pay status during this 12 month period. |

Policy Details

I. Vacation Leave

A. Accrual

- Vacation leave accrues while an employee is in active pay status and may be used from the date of employment. An adequate vacation leave balance must be accrued prior to usage.



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2. Staff on regular and term (except post-doctoral researchers) appointments of 100% full time equivalency (FTE), 12-month regular faculty, and 12-month auxiliary faculty earn vacation leave in accordance with the accrual schedule. Vacation leave accrual is prorated for staff appointments of 50% FTE or greater.
3. Staff appointments of less than 50% FTE and 9-month regular and auxiliary faculty appointments do not accrue vacation.
4. A university employee who previously worked for an Ohio public agency may be credited for time served at that agency, with the exception of reemployed retirees as noted in I-A-5. Proof of service from the former public agency must be submitted in writing before service credit is granted.
5. An employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio (a reemployed retiree) will not have prior service with the State of Ohio, any political subdivision of the State, or a regional council of government counted for purposes of computing vacation leave.
 - a) A STRS/Alternative Retirement Plan participant will be treated as a reemployed retiree for purposes of this paragraph 5 if, at the time of separation from employment, the participant would have been eligible to receive retirement benefits under the STRS Ohio Defined Benefit Plan.
 - b) An OPERS/Alternative Retirement Plan participant will be treated as a reemployed retiree for purposes of this paragraph 5 if, at the time of separation from employment, the participant would have been eligible to receive retirement benefits under the OPERS Traditional Pension Plan.
6. Employment outside of that specified in I-A-4 and I-A-5, including student employment, federal employment, or employment with other states does not count toward service credit.
7. Balance transfer – Vacation leave balance transfers when an employee transfers from one university department to another and only occurs when the new position is eligible for vacation.

B. Leave pay out

1. Accrued vacation leave not used by the effective date of a faculty member's termination will be paid subject to the maximum of the vacation accrual schedule. A faculty member who reduces from a 12-month to a 9-month appointment will permanently forfeit accrued vacation not used by the effective date of the reduction.
2. A staff member who terminates employment, or transfers to a position that is ineligible for vacation, will be paid any accrued vacation leave not used by the effective date, subject to the maximums of the vacation accrual schedule. Accrued vacation payouts are at the current rate of compensation.

C. Carryover

Vacation leave accrued in excess of the maximum carryover will be eliminated at the end of the pay period in which an employee's anniversary date occurs each year.

| Vacation Leave Accrual Schedule | | | | | |
|---------------------------------|------------------|-------------------|-----------------------|----------------------|--|
| Category (Full Time) | Years of Service | Months of Service | Hours Earned Per Year | Days Earned Per Year | Maximum Hours for Vacation Carryover and Pay Out |
| Classified Civil Service | 0 to 7 | 0 to 84 | 80 | 10 | Equal to the amount earned last 3 years |
| | 7+ to 14 | 85 to 168 | 120 | 15 | |
| | 14+ to 24 | 169 to 288 | 160 | 20 | |
| | 24+ | 289+ | 200 | 25 | |
| Unclassified Professional | 0 to 3 | 0 to 36 | 96 | 12 | 240 |
| | 3+ to 10 | 37 to 120 | 120 | 15 | 240 |
| | 10+ to 24 | 121 to 288 | 176 | 22 | 240 |
| | 24+ | 289+ | 200 | 25 | 240 |
| Senior A&P | 0 to 25 | 0 to 300 | 176 | 22 | 240 |
| | 25+ | 301+ | 200 | 25 | 240 |



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| Vacation Leave Accrual Schedule | | | | | |
|---------------------------------|------------------|-------------------|-----------------------|----------------------|--|
| Category (Full Time) | Years of Service | Months of Service | Hours Earned Per Year | Days Earned Per Year | Maximum Hours for Vacation Carryover and Pay Out |
| 12-Month Faculty | 0 to 25 | 0 to 300 | 176 | 22 | 240 |
| | 25+ | 301+ | 200 | 25 | 240 |
| 12-Month Auxiliary Faculty | 0 to 25+ (25+) | 0 to 300+ | 80 | 10 | 240 |

II. Sick Leave

A. Accrual

1. Faculty and staff accrue sick leave while in an active pay status for their primary university appointment. Sick leave does not accrue and cannot be used for any supplemental pay arrangements such as supplemental appointments, faculty teaching overloads, and faculty quarter off-duty appointments. Sick leave does not accrue during unpaid leaves of absence.
2. Staff paid biweekly accrue sick leave at the rate of 4.6 hours per 80 hours of service. Faculty and staff paid monthly accrue sick leave monthly based on the number of service hours per month. The rate of accrual is .0577 hours of sick leave for each service hour in the month. Staff paid monthly and 12-month faculty accrue 120 hours of sick leave per year. Nine-month faculty accrue 90 hours of sick leave per year. Sick leave accrual is prorated for appointments less than full time. Sick leave accumulation is unlimited.

B. Use

1. Sick leave is charged in minimum units of one-tenth hour. An employee is charged for sick leave only for days upon which the employee otherwise would have been scheduled to work. Sick leave payment will not exceed the normal scheduled workday or work week earnings.
2. Sick leave may be used from the date of accrual for the purpose intended according to the sick leave chart. An adequate sick leave balance must be accrued prior to usage. When sick leave is exhausted, an employee may apply for an unpaid leave of absence.
3. If the employee cannot specify an acceptable return to work date, or if the need for leave beyond family and medical leave continues, approval of additional sick leave is at the university's discretion.
4. Classified Civil Service staff may be granted unpaid leave or placed on disability separation prior to the expiration of sick leave.
5. Sick leave usage applies to self or immediate family member.
6. Sick leave usage for birth, adoption, or foster care placement may be taken in accordance with the chart below and on a reduced schedule or intermittently for the first 12 weeks after the qualifying status change. After the first 12 weeks, leave cannot be taken on an intermittent or reduced schedule without advance notice, scheduling, and departmental approval.
7. An employee who becomes eligible for workers' compensation payment for loss of time may choose to use sick leave before such payments are made. An employee who wishes not to use sick leave to cover such loss of time must request an unpaid leave of absence in accordance with Human Resources Policy [6.45](#), Unpaid Leave.



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C. Balance transfer

1. Sick leave balance transfers when an employee transfers from one university department to another.
2. An accrued and unused sick leave balance from another Ohio public agency may be transferred to the university, if proof of accrued leave is provided by the transferring agency and re-employment occurs within 10 years.

D. Leave pay out

Employees retiring from active service with Ohio State with 10 or more years of state service will be paid one-fourth of the sick leave balance up to a maximum payment of 240 hours. Payment is based upon the rate of compensation at the time of retirement. The one-time retirement pay out of sick leave eliminates all accrued sick leave on record. These same provisions apply to employees who die with 10 or more years of state service, with the sick leave pay out paid to the estate.

| Sick Leave Usage Parameters | | | |
|---|---------------------------------|--|-------------------------------------|
| Event | Relationship To Employee | Documentation Required | Sick Leave Usage Limit ¹ |
| Illness or injury | Self or immediate family member | eLeave and appropriate medical documentation | As approved |
| Health examination (medical, psychological, dental, or optical) | Self or immediate family member | eLeave and appropriate medical documentation | As approved |
| If a member of the immediate family is afflicted with a contagious disease or requires the care and attendance of the employee; or when through exposure to a contagious disease, the presence of the employee at the job would jeopardize the health of others | Immediate family member | eLeave and appropriate medical documentation | As approved |
| Foster Care Placement | Self | eLeave and proof of foster care placement | Up to 10 working days (two weeks) |
| Death | Immediate family member | eLeave and obituary/death certificate | Up to five working days |

| Sick Leave Usage Parameters | | | | |
|-----------------------------|---|------------------------------|---|---------------------------------------|
| Event | Relationship To Employee | Documentation Required | Sick Leave Usage Limit ¹ | |
| | | | Eligible for Parental Leave | Not Eligible for Parental Leave |
| Birth | Self (birth mother) | eLeave and proof of birth | Limited by available Family and Medical Leave ² (FML), not to exceed 30 working days (six weeks) | As approved per medical documentation |
| | Self (father, domestic partner or employee using a surrogate) | eLeave and proof of birth | Ineligible for Sick Leave; refer to Parental Leave | Up to 10 working days (two weeks) |
| Adoption | Self (mother, father or domestic partner) | eLeave and proof of adoption | Ineligible for Sick Leave; refer to Parental Leave | Up to 10 working days (two weeks) |

¹ Assumes adequate leave balance is available.

² (Weeks of FML available) – (Weeks of Parental Leave) – (Weeks of Short-Term Disability payment) = Maximum weeks of Sick Leave available following the birth of a child.

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III. Parental Leave

- A. Guiding principles – The purpose of parental leave is to provide a birth mother, father, domestic partner or adoptive parent with paid time off to recover from childbirth and/or to care for and bond with a newborn or newly-adopted child.
1. The intent of parental leave is to provide faculty and staff members with a paid leave benefit that may be combined with other leave programs to maximize the length of paid leave available and to supplement paid time off under Family and Medical Leave (FML), in the event of a birth or the adoption of a child.
 2. Parental leave is a benefit of employment and its use must not have a negative impact on employment status or opportunities.
 3. Departments should be flexible in managing parental leave requests, so as to permit employees to effectively combine career and family responsibilities.
 4. Workload issues should be proactively managed so that excessive work demands are not placed on remaining faculty and staff.
- B. Eligibility is defined as meeting all of the following criteria:
1. A faculty or staff member or auxiliary faculty member who becomes a new parent as a birth mother, father, adoptive parent, or domestic partner.
 2. A faculty or staff member who holds a regular appointment or auxiliary faculty appointment of at least 75% FTE.
 3. A faculty or staff member who has completed at least one year of service prior to the date parental leave is to commence. Employees who attain one year of service while on leave for the purpose of a birth or the adoption of a child will be eligible for a pro-rated portion of parental leave.
- C. Leave amount
1. Parental leave is paid at 100% of the employee's regular pay (based upon FTE) for the specified number of hours outlined in this policy.
 2. Up to 240 hours (6 work weeks, based on an appointment of 100% FTE) constitute parental leave for a birth mother for recovery from childbirth and to care for and bond with a newborn.
 3. Up to 120 hours (3 work weeks, based on an appointment of 100% FTE) constitute parental leave for a father, domestic partner, employee using a surrogate, or adoptive parent to care for and bond with a newborn or newly adoptive child.
- D. Use
1. Parental leave should generally commence following the birth or adoption of a child, but in some instances, may occur prior to the event when deemed medically necessary or when requisite to fulfill the legal requirements for an adoption, provided all eligibility requirements are met.
 2. Parental leave is available for one year from the birth or adoption of a child.
 3. Parental leave will run concurrently with available Family and Medical Leave (FML). If the amount of FML available is less than the amount of parental leave to be taken, parental leave will still be granted as specified in this policy, without regard to the existence of the individual's available FML. In this case, the return to work provision of the FML policy will apply.
 4. Parental leave may be used at one time or intermittently prior to and during the first 12 weeks following the birth or adoption event. After this period of time, parental leave may be taken on an intermittent schedule with advanced notice, scheduling and departmental approval.
 5. Parental leave may be used in cases of stillbirth. In such event, a maximum of two weeks of parental leave may be used and appropriate medical documentation is required. Additional time may be used from sick leave balances when supported by medical documentation.

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6. Parental leave shall be exhausted prior to the use of vacation leave or compensatory time when such leave is requested for the purpose of a birth or adoption event.
7. Parental leave shall be exhausted prior to the use of unpaid leave, unless the unpaid leave is for the sole purpose of receiving Short-Term Disability benefits.
8. Parental leave shall be exhausted prior to the use of sick leave in excess of the maximum allowed for a birth mother.
9. One parental leave benefit is available per employee, per birth or adoption event. The number of children involved does not increase the length of parental leave granted for that event.

IV. Jury Duty/Court Appearance Leave

- A. An employee will be granted excused absence from work without loss of pay when:
 1. The employee is summoned for jury duty or is subpoenaed to appear before any court or other legal body authorized to compel the attendance of witness, provided that the employee is not a party to the action.
 2. The employee is a party to any action before the State Personnel Board of Review, provided that the employee is in active pay status at the time of a scheduled hearing.
- B. Any employee appearing before a court or other legal body in a matter in which the employee is a party will apply for paid or unpaid leave for that absence. Examples include criminal or civil cases, traffic court, divorce proceedings, custody, or appearing as directed as parent or guardian of a juvenile.

V. Organ Donation Leave

- A. Eligibility
 1. Regular employees and auxiliary faculty with appointments of 75% FTE or greater who donate an adult kidney or any portion of an adult liver will receive up to 240 hours of organ donation leave during each calendar year. These hours will be paid at the employee's regular rate of pay for regularly scheduled work hours that the employee is medically unable to work.
 2. Regular employees and auxiliary faculty with appointments of 75% FTE or greater who donate adult bone marrow will receive up to 56 hours of organ donation leave each calendar year. These hours will be paid at the employee's regular rate of pay for regularly scheduled work hours that the employee is medically unable to work.
 3. Regular employees and auxiliary faculty with appointments of 74% FTE or less, intermittent, seasonal, and temporary employees are not eligible for organ donation leave.
- B. Use
 1. Organ donation leave should be exhausted prior to using any sick leave or vacation leave.
 2. Organ donation leave will run concurrently with other university leave programs (e.g. [Family and Medical Leave](#)).

VI. Vacation Donation

- A. Eligibility
 1. The recipient may request to receive donated vacation to provide care for their own or an immediate family member's life threatening or terminal illness or injury. The use of donated vacation may also be requested for the birth, adoption or foster placement of a child or for the death of an immediate family member.
 2. The recipient must have a regular appointment that is eligible to accrue sick time and must have exhausted all paid leave balances before using donated vacation. The recipient may not be receiving any paid benefit such as Short-Term or Long-Term Disability and/or Workers' Compensation.
 3. The donor must have a minimum balance of 80 hours of vacation remaining after donation (minimum should be prorated according to donor FTE).

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B. Use

1. Only immediate family members can donate across colleges/VP units. In no other cases can donations cross colleges/VP units.
2. Sick and compensatory time may not be donated.
3. Donated vacation can only be applied for after unpaid leave is approved.
4. The recipient may use up to four weeks of donated vacation time (up to 160 hours, prorated based on FTE). Maximum exceptions must be approved by Dean/VP and the Office of Human Resources.
5. Donated vacation may not be used to exceed the recipient's normally scheduled work hours per pay period and must be donated in eight-hour increments.
6. Leave taken using donated vacation may not be counted in the calculation of unpaid leave balances.
7. Donated vacation may run concurrently with Family and Medical Leave.
8. Donated vacation cannot be paid from a sponsored research project (grant or contract).
9. Donated vacation hours are converted into an equivalent number of sick time hours, regardless of differences between participants' pay rates.
10. Unused donated vacation hours are forfeited and will not be returned to the donor.
11. Requests to receive donated vacation made by individuals in the disciplinary process for attendance-related concerns are approved at the department's discretion.
12. The recipient is prohibited from soliciting co-workers for vacation leave. Donations must be voluntary.

VII. The university may implement alternative vacation or sick leave benefits or benefit payout programs only for specific initiatives approved by the Offices of Human Resources and Legal Affairs.

PROCEDURE

Issued: 06/22/1997

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I. Vacation Leave

Vacation leave is arranged and approved in accordance with each department's operational needs using [eLeave](#).

II. Sick Leave

Sick leave notification and approval are established based upon departmental procedures. Sick leave is requested using [eLeave](#). If medical attention is provided, documentation from a health care provider stating the nature of the illness or injury may be requested.

III. Parental Leave

Parental leave is arranged and requested by the employee using [eLeave](#).

IV. Jury Duty/Court Appearance Leave

For jury duty/court appearance leave, a subpoenaed individual should notify her or his supervisor as soon as possible upon receipt of the subpoena and submit an [eLeave](#) request indicating hours and dates of required court appearance. Upon release from this public service, the individual should contact her or his supervisor immediately regarding return to university duties.



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V. Organ Donation Leave

When organ donation leave is anticipated, verbal notice should be given as far in advance as possible, followed by written documentation to include with the [eLeave](#) request indicating hours and dates of leave and supporting medical certification from an appropriate health care provider.

VI. Vacation Donation

The donor will complete the [Vacation Donation Donor Agreement](#), and the recipient will complete the [Vacation Donation Recipient Agreement](#) and meet with the department human resource professional. Department and college/VP unit will sign off on and process time accordingly.

VII. Compliance and Fraud

Faculty and staff failing to comply with leave policies and procedures may be denied use of leave and corrective action may be initiated. Request for leave with the intent to defraud or falsification of leave documentation may result in corrective action up to and including dismissal and reimbursement to the university of salary or wages paid during such leave.

Responsibilities

| Position or Office | Responsibilities |
|--|--|
| Office of Human Resources | <ol style="list-style-type: none"> 1. Consult with individuals and units regarding use of leaves. 2. Review and approve requests for exceptions to the maximum number of vacation donation hours. |
| Employing unit/ Human resource professional | <ol style="list-style-type: none"> 1. Consult with individuals on leaves. 2. Inform employees as to the leaves for which they are eligible. 3. Ensure employees are eligible for any leaves used. 4. Input leave into the HRIS. 5. Maintain confidentiality of employee documentation and information. <p><u>Vacation Donation:</u></p> <ol style="list-style-type: none"> 1. A manager or human resource professional from each unit must approve the donation and meet with the donor(s) and recipient individually to review guidelines and obtain a signed Vacation Donation Recipient Agreement and Vacation Donation Donor Agreement. 2. The college/VP unit must contact Human Resources Integrated Disability to ensure the recipient is not earning other paid benefits prior to approval of the request. 3. The HRP processes the transfer of leave balances as appropriate. 4. The HRP collaborates with the recipient to ensure that the leave request is handled and processed appropriately. |
| Supervisor | <ol style="list-style-type: none"> 1. Approve or disapprove leave requests. 2. Maintain confidentiality of employee documentation and information. 3. Manage leave requests to provide flexibility for individuals to use the leave when appropriate, while balancing remaining workload. 4. Collaborate with human resource professional on employee leaves, particularly vacation donation, parental leave, and organ donation. |



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| Position or Office | Responsibilities |
|--------------------|---|
| Employee | <ol style="list-style-type: none">1. Know leave balances and appropriate uses of leaves.2. Request leave according to your department's guidelines.3. Submit appropriate documentation depending on the leave.4. Consult with department, human resource professional, or Office of Human Resources regarding leave benefits and necessary documentation. <p>Vacation Donation:</p> <ol style="list-style-type: none">1. Recipient must consult with the department Human Resource Professional (HRP).<ol style="list-style-type: none">a. For illness/injury, documentation must include a note from the physician stating that the medical condition is terminal or life threatening.b. For birth or adoption/foster placement of a child, documentation must include proof of birth or adoption/foster placement.c. For death of an immediate family member a copy of the death certificate/obituary must be provided.2. Recipient must sign a Vacation Donation Recipient Agreement.3. Donor must sign a Vacation Donation Donor Agreement.4. The recipient collaborates with the HRP to ensure that the leave request is handled appropriately. <p>Parental Leave:</p> <ol style="list-style-type: none">1. Give written notice to the department as far in advance as possible when anticipating parental leave.2. Submit an eLeave with any other appropriate documentation, in accordance with the Family and Medical Leave (FML) policy.3. Ensure that an Affidavit of Domestic Partnership is on file with the department and with the Office of Human Resources for the use of parental leave as a domestic partner.4. The tenure clock will be stopped for faculty for one year for responsibilities related to the birth or adoption of a child under six years old. See University Rule 3335-6-03 for information. |

Resources

- Affidavit of Domestic Partnership, hr.osu.edu/forms/dompaaff.pdf
- eLeave, eleave.osu.edu
- Family and Medical Leave, Policy 6.05, hr.osu.edu/policy/policy605.pdf
- Leave Accrual Rates, controller.osu.edu/pay/accrual/leaveaccrualbi11.pdf
- Medical Certification of Health Care Provider for Employee's Serious Health Condition, hr.osu.edu/forms/ben/fmlcertee.pdf
- Medical Certification of Health Care Provider for Family Member's Serious Health Condition, hr.osu.edu/forms/ben/fmlcertfam.pdf
- Military Leave/Reemployment Rights, Policy 6.35, hr.osu.edu/policy/policy635.pdf
- Paid Leave Programs Frequently Asked Questions, hr.osu.edu/policy/resources/627faq.pdf
- Parental Care Guidebook, hr.osu.edu/worklife/parentalcareguidebook.pdf
- Timekeeping Job Aids, assist-erp.osu.edu/assisthr89/WebHelp/Job%20Aids/timekeeping_job_aids.html
- University Rule 3335-6-03, Probationary service, and duration of appointments for tenure-track faculty, (D) Exclusion of time from probationary periods, trustees.osu.edu/rules/university-rules.html
- Unpaid Leave, Policy 6.45, hr.osu.edu/policy/policy645.pdf
- Vacation Donation Donor Agreement, hr.osu.edu/forms/vacationdonor.pdf
- Vacation Donation Recipient Agreement, hr.osu.edu/forms/vacationrecipient.pdf



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Contacts

| Topic | Office | Telephone | E-mail/JURL |
|--|---|------------------------------|---|
| Forms and resources | Human Resources Customer Service | 614-292-1050 800-678-6010 | service@hr.osu.edu |
| Policy interpretation | Human Resources Employee and Labor Relations | 614-292-2800 | ohrc@hr.osu.edu hr.osu.edu/ohrc |
| Policy interpretation for Health System employees | Employee Relations, Health System Human Resources | 614-293-4988 | |
| Paycheck or payroll issues | Office of the Controller, Payroll Services | 614-292-2311 | payrolloffice@osu.edu http://controller.osu.edu/pay/pay-home.shtm |
| Short or long term disability or Workers' Compensation | Human Resources Integrated Disability | 614-292-3439 | hr.osu.edu/benefits/disabilitybenefits |

History

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Vacation Donation

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Paid Parental Leave

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