

123:1-41-21

Layoff of employees on sick leave, leave without pay, or receiving disability leave benefits.

- (A) Employees receiving sick leave at time of layoff. Employees who are on sick leave at the time a layoff is effective shall be subject to layoff, under the provisions of this Chapter. The effective date of layoff or displacement of an employee may not be extended on the basis that an employee is on sick leave.
- (B) Employees on leave of absence without pay at time of layoff. An employee who is on a leave of absence without pay under the provisions of rule ~~123:1-24-01~~ 123:1-34-01 of the Administrative Code at the time a layoff is effective shall be subject to layoff under the provisions of this chapter. The effective date of a layoff or of displacement for an employee may not be extended on the basis that an employee is on a leave of absence without pay.
- (C) Employees receiving disability leave benefits at time of layoff. An employee who is receiving disability leave benefits under the provisions of Chapter 123:1-33 of the Administrative Code at the time a layoff is effective shall be subject to layoff under the provisions of this chapter. An employee who is to be laid off while receiving disability leave benefits shall continue to receive disability leave benefits until the period of disability is over and the employee would otherwise be able to return to work. The receipt of disability leave benefits shall be subject to the provisions of Chapter 123:1-33 of the Administrative Code.

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Certification

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