

123:1-32-01

**Charge of sick leave, vacation leave, and personal leave and compensation for sick leave of employees paid by warrant of the auditor of state.**

- (A) Charge of sick leave, vacation leave, and personal leave. Sick leave, vacation leave, and personal leave used by an employee whose salary or wage is paid directly by warrant of the auditor of state shall be charged in minimum units of one-tenth of one hour. Employees shall be charged sick leave, vacation leave, and personal leave only for the days and hours for which they would have otherwise been regularly scheduled to work. Sick leave, vacation leave, and personal leave shall not exceed the amount of time an employee would have been regularly scheduled to work in any pay period.
- (B) Compensation for charged sick leave. Sick leave for an employee whose salary or wage is paid directly by warrant of the auditor of state which is credited during or subsequent to the base pay period which includes December 1, 1981 shall be exhausted before use of sick leave accumulated prior to the base pay period which includes December 1, 1981 is allowed. Compensation for sick leave used during each twelve-month period beginning the pay period that includes the first day of December shall be at the rates established below.
- (1) The initial forty hours of sick leave shall be paid at a rate equal to the employee's base rate of pay.
  - (2) The next forty hours of sick leave shall be paid at a rate equal to seventy per cent of the employee's base rate of pay. Except these sick leave hours shall be paid at a rate equal to the employee's base rate of pay if the hours or portions thereof are associated with an overnight hospital stay by the employee, employee's spouse, or child residing with the employee or are used before or after the aforementioned hospital stay and are contiguous to the hospital stay.
  - (3) Sick leave used in excess of eighty hours shall be paid at a rate equal to the employee's base rate of pay.
  - (4) Sick leave used to supplement an approved disability leave, workers' compensation, or adoption/childbirth leave benefit period shall be paid at a rate equal to the employee's base rate of pay.

Effective: 07/01/2003

R.C. 119.032 review dates: 04/12/2007

CERTIFIED ELECTRONICALLY

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Certification

06/18/2003

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Date

Promulgated Under: 119.03  
Statutory Authority: 124.09  
Rule Amplifies: 124.134, 124.382, 124.386  
Prior Effective Dates: 11/29/1981, 3/29/1982,  
4/5/1984, 7/16/1984,  
2/4/1996, 11/10/1996,  
7/1/1997 (Emer.), 9/28/1997