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day has started (i.e. paid sick leave to vacation).

- (2) There is no accumulation of benefit while on leave of absence without compensation.
- (3) Sick leave accrual shall accumulate without limit, from the date of hire. All sick leave accrued by existing employees from their date of hire shall be reinstated, less actual sick leave taken and recorded under such department policy.

(C) Procedure governing utilization of sick leave.

- (1) Sick leave is authorized upon the request of the employee and approval of the department head by the employee or employee's legal representative notifying the department head as soon as practicable, presumably on the first day of absence.
- (2) The university reserves the right to require a physician's certification or other verification in all instances of paid leave. When such certification or verification is required, it shall be collected by the department of benefits administration for audit and retention.
- (3) When paid sick leave is used, it will be deducted from the employee's accumulated total, one hour for each hour of absence. However, managers may allow some flexibility in scheduling work time for a single day when reasonable and practical.
- (4) For twelve-month faculty, professional staff, a continuous period of sick leave commences with the first day or part of a day, of absence and includes all subsequent days, or part of a day, except Saturdays, Sundays, and holidays observed by the university of Akron until the employee returns to work. However, Saturdays, Sundays, and holidays shall be included in the calculation of a continuous period of sick leave for those employees who may be scheduled to work on those days.
- (5) For nine-month faculty, a continuous period of sick leave commences with the first day of an absence and includes all days classes are in session during the academic year or summer session except Saturdays, Sundays, and holidays observed by the university of Akron. However, Saturdays, Sundays, and holidays shall be included in the calculation of a continuous period of sick leave for those employees who may be scheduled to work on those days.
- (6) The department of benefits administration shall establish a sick leave reporting system for faculty and professional staff.
- (7) In all cases of leave from illness or injury, the university may require written certification by a physician attesting to an employee's fitness to return to work.
- (8) Paid sick leave will be charged when used.

(D) Transfer of sick leave.

- (1) An employee who transfers from one public agency to another, or who is reappointed or reinstated, or who transfers from one state department to another shall, upon reentering and submitting certified evidence of accumulated sick leave, be credited with the unused balance of accumulated sick leave, provided the time between separation and reappointment does not exceed ten years. The words "public agency," as used above, include the state, counties, municipalities, and boards of education within the state of Ohio. The amount of sick leave transferred to state service shall not be greater than the maximum accumulation which would have been allowed if all public employment had been in the state service.
- (2) The university shall provide a voluntary leave bank program for full-time, non-bargaining unit employees who wish to participate in the program. The program shall be administered by the office of human resources, pursuant to policy terms and conditions developed by that office, as may be amended.

(E) Payment of sick leave upon retirement.

- (1) Upon retiring from active service with the university after ten or more years of service with the state or any of its political subdivisions, an employee may elect to be paid for one fourth of the accrued but unused sick leave credit up to a maximum of two hundred forty hours. This payment will be based upon the employee's rate of pay at the time of retirement. Upon accepting such payment, all sick leave credit accrued up to that time will be eliminated.
- (2) Such payment will be made only once to any employee.
- (3) The maximum payment allowed will be two hundred forty hours. Sick leave conversion does not apply to any termination or separation other than retirement.

(F) Unexcused absence, failure to give proper notification and falsification.

Any unexcused absence or failure to give proper notification may result in the absence being charged to leave without pay. Falsification of either a written, signed statement or a physician's certificate shall be grounds for disciplinary action, including dismissal. Except in instances due to extended illness or injury, monthly or annual absences greater than the number of hours or days accrued may be considered excessive.

- (G) Vacation leave may not be converted to sick leave unless the employee or a member of the employee's immediate family is admitted to or treated in a hospital or is under the treatment of a licensed physician and is released to work. Written verification is required. Only those hours/days certified to be used may be converted to sick leave.
- (H) The university of Akron administration shall develop policies and procedures necessary to implement the provisions in this rule.

Effective: 10/14/2023

Certification: _____
M. Celeste Cook
Secretary
Board of Trustees

Promulgated Under: 111.15

Statutory Authority: 124.38; 124.39; 3359.03

Rule Amplifies: 3359

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