

**STATE OF OHIO
 ADJUTANT GENERAL'S DEPARTMENT
 2825 West Dublin Granville Road
 Columbus, Ohio 43235-2789**

MEMORANDUM

TO: State of Ohio Employees and Supervisors

FROM: Major General Mark E. Bartman, The Adjutant General *MGB 26 Feb 16*

DATE: 29 February 2016

SUBJECT: WORK RULE: Vacation Leave

REFERENCES:

- Section 124.134, Ohio Revised Code
- Section 9.44, Ohio Revised Code
- Article 28, OCSEA/AFSCME Contract
- Appendix Q – OCSEA/AFSCME Contract

SCOPE

This work rule applies to all full-time permanent and part-time employees of the Adjutant General's Department (ADJ) except state officers of the ADJ appointed by the Governor.

GENERAL

Permanent employees shall be granted vacation leave with pay at regular rate as follows.

A. All employees, except for firefighter classifications:

<u>Years of Employment Credit</u>	<u>Annual Leave Entitlement</u>	<u>Accrual Rate Per Pay Period*</u>	<u>Maximum Accrual Balance</u>
Less than 1 year	0 hours	3.1 hours	0 hours
1 year but less than 4	80 hours	3.1 hours	240 hours
4 years but less than 9	120 hours	4.6 hours	360 hours
9 years but less than 14	160 hours	6.2 hours	480 hours
14 years but less than 19	180 hours	6.9 hours	540 hours
19 years but less than 24	200 hours	7.7 hours	600 hours
24 or more years	240 hours	9.2 hours	720 hours
*Accrual rates will be prorated for employees with less than 80 hours in active pay status.			

B. All firefighter classifications:

<u>Years of Employment Credit</u>	<u>Annual Leave Entitlement</u>	<u>Accrual Rate Per Pay Period*</u>	<u>Maximum Accrual Balance</u>
Less than 1 year	0 hours	4 hours	0 hours
1 year but less than 4	104 hours	4 hours	312 hours
4 years but less than 9	156 hours	6 hours	468 hours
9 years but less than 14	210 hours	8.1 hours	630 hours
14 years but less than 19	234 hours	9 hours	702 hours
19 years but less than 24	260 hours	10 hours	780 hours
24 or more years	312 hours	12 hours	936 hours

*Accrual rates will be prorated for employees with less than 104 hours in active pay status.

C. Part-time permanent employees: Accrue vacation leave on a prorated basis.

D. Vacation leave accrual rate adjustment based on prior state employment service: Employees may request prior employment credit to adjust the annual accrual rate for prior service with the state, i.e., agencies whose employees are paid by the Auditor of State, the Ohio National Guard, or any political subdivision of the state for purposes of computing vacation leave in accordance with ORC 9.44.

E. Use of vacation leave:

- a. Vacation leave may be used in one-tenth (.1) hour units.
- b. Vacation leave shall be taken at a time mutually agreeable to both the employee and the supervisor; however, every effort will be made to grant vacation time at the convenience of the employee if such scheduling does not seriously hamper the unit's work coverage. Management may establish minimum staffing levels and restrict the number of concurrent vacation leave requests.
- c. Vacation leave may not be used until an employee has completed a minimum of one year of state service. Newly accrued vacation leave is not available for use until it appears on the employee's earnings statement and on the date the funds are made available, i.e., payday Friday.
- d. If an employee transfers employment to another state agency or a local jurisdiction, he or she will retain the accrued and unused vacation leave balance.
- e. Exempt employees who have at least one year's employment service and who terminate from the payroll for any reason (including death), will receive full payment for any unused vacation leave. Death benefits will be paid to the properly designated beneficiary.

- f. Collective bargaining employees who terminate from the payroll for any reason after six (6) months of employment with the agency will receive the same payoff of unused vacation leave as described for exempt employees. Employees separating from employment with less than six (6) months total service will not be paid for any accrued vacation.
- g. Unless the supervisor concurs, an employee's vacation period will not exceed one (1) year's accrual at one time.
- h. Maximum Accrual
 - i. Vacation leave may be accumulated to a maximum of three times the yearly amount accrued, e.g., if an employee is in the years of service category to accumulate 120 hours per year, he/she may accumulate 360 hours of vacation leave. Further accumulation will not continue when the maximum is reached, and the employee will not be paid for vacation leave lost at this point.
 - ii. Firefighter classifications – When an employee's vacation reaches the maximum level, and if the employee has been denied vacation during the past twelve (12) months, the employee will be paid for time denied but no more than one hundred four (104) hours per pay period in a fiscal year.
 - iii. Bargaining unit members other than firefighter classifications - When an employee's vacation reaches the maximum level, and if the employee has been denied vacation during the past twelve (12) months, the employee will be paid for the time denied but no more than eighty (80) hours per pay period in a fiscal year.
 - iv. Exempt employees other than firefighter classifications - When an employee's vacation reaches the maximum level, and if the employee has been denied vacation during the past twelve (12) months, the employee will be paid for the time denied but no more than eighty (80) hours per pay period in a fiscal year.