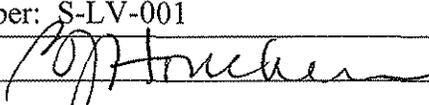




# Ohio Board of Nursing

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Policy Number: S-LV-001	
Approved: 	Effective Date: May 18, 2015

**Authority:** This policy is issued in compliance with Ohio Revised Code 4723.05 that authorizes the Executive Director of the Ohio Board of Nursing (OBN) to establish standards for the conduct of employees and to act as the chief administrative officer of the Board.

**Purpose:** The purpose of this policy is to establish uniform guidelines for the requesting and granting of requests for leave.

**Applicability:** All OBN employees.

**Definitions:** None.

**Policy:** The policy of the Board of Nursing is to grant leave requests in accordance with applicable collective bargaining unit agreements and state law.

#### Procedures:

1. All requests for any type of leave shall be submitted through the OAKS Time and Labor Module and be approved by the employee's immediate supervisor or designee.
2. Each employee is responsible for keeping track of his/her own leave balances. An employee should verify the availability of his/her leave balances prior to submitting a request for leave. Submitting a request for leave when sufficient leave balances do not exist may result in the employee being disciplined for violation of the Standards of Employee Conduct (S-HR-001).
3. Call Off – When an employee is unable to report for work, he/she must notify the Board by calling the Board's Call-Off Line at 614-644-3988 no later than one-half (1/2) hour after starting time, unless circumstances preclude this notification. An employee is also encouraged to call his/her immediate supervisor with the information.
4. Personal Leave
  - a. Personal leave shall be granted in accordance with applicable collective bargaining agreements and the administrative rules of the Department of Administrative Services (DAS) in effect at the time the leave is requested.
  - b. OCSEA/AFSCME Local 11 – Personal leave shall be granted if an employee makes the request with forty-eight (48) hours advance notice. In an emergency, the request

shall be made as soon as possible and the supervisor shall respond promptly. The leave shall not be unreasonably denied. Documentation of the emergency shall be submitted to the employee's supervisor. The Executive Director will review the documentation submitted and will decide whether to grant or deny the requested emergency personal leave.

- c. SEIU/District 1199 – Employees shall be granted personal leave upon giving twenty-four (24) hours advance notice to the supervisor. In emergency situations, requests may be granted with a shorter notice. Requests for the use of personal leave shall not be unreasonably denied. Documentation of the emergency shall be submitted to the employee's supervisor. The Executive Director will review the documentation submitted and will decide whether to grant or deny the requested emergency personal leave.
- d. Bargaining Unit Exempt Employees – Employees must give reasonable notice to the supervisor prior to the use of personal leave. In emergency situations, requests may be granted for leave submitted after-the-fact. Requests for the use of emergency personal leave will not be unreasonably denied. Documentation of the emergency shall be submitted to the employee's supervisor. The Executive Director will review the documentation submitted and will decide whether to grant or deny the requested emergency personal leave.
- e. All employees:
  - i. Personal leave that is used by an employee shall be charged in minimum units of one/tenth (1/10) hour.
  - ii. Newly accrued personal leave is not available for use until it appears on the employee's earning statement and on the date funds are made available.

## 5. Vacation

- a. Vacation shall be granted in accordance with applicable collective bargaining agreements and the administrative rules of the Department of Administrative Services (DAS) in effect at the time the leave is requested.
- b. Vacation leave shall be taken only at times mutually agreed to by the supervisor and the employee.
- c. Vacation leave that is used by an employee shall be charged in minimum units of one/tenth (1/10) hour.
- d. Newly accrued vacation leave is not available for use until it appears on the employee's earning statement and on the date funds are made available.

- e. Requests for planned vacations should be submitted as soon as reasonably possible and will be granted on a first-come-first-served basis. Other vacation leave requests must be submitted at least twenty-four hours prior to the scheduled leave. Same-day requests for vacation leave may be considered at the Board's discretion. A supervisor considering a same-day request for vacation will consider the operational needs of the employee's unit to determine whether the request may be granted.
- f. In emergency situations, requests for vacation may be granted with less than twenty-four (24) hour advance notice or after-the fact. These requests shall not be unreasonably denied. Documentation of the emergency shall be submitted to the employee's supervisor. The Executive Director will review the documentation submitted and will decide whether to grant or deny the requested emergency personal leave.
- g. An employee who is tardy may request vacation leave to account for the time he/she was late to work or may be permitted to make up the time at the end of the day. The request for leave may be granted for pay purposes only. No matter the method used to account for the time, the employee may still be subject to discipline for violation of the Standards of Employee Conduct (S-HR-001).
- h. In accordance with Section 123.134(D), ORC, employees shall forfeit their right to take or to be paid for any vacation leave to their credit that is in excess of the accrual for three (3) years. (See Section 124.13(D), defining "year.") Any excess leave shall be eliminated from the employee's leave balance.
- i. Bargaining unit exempt employees may be paid for up to eighty (80) hours of vacation leave each fiscal year if the employee requested and was denied the use of vacation leave during the fiscal year. No employee shall receive payment for more than eighty (80) hours of denied vacation leave in a single fiscal year according to Section 123.134(C), ORC. An employee is only eligible to receive payment for vacation leave when the employee's vacation leave credit is at, or will reach in the immediately following pay period, the maximum of the accrual for three (3) years and the employee has been denied the use of vacation leave. An employee is not entitled to receive payment for vacation leave denied in any pay period in which the employee's vacation leave credit is not at, or will not reach in the immediately following pay period, the maximum of accrual for three (3) years. Any vacation leave for which an employee receives payment shall be deducted from the employee's vacation leave balance.

Denied vacation may only be paid out upon the approval of the Executive Director or the President of the Board of Nursing. Documentation of the denied vacation and approval to pay out the denied vacation must be attached to the employee's time sheet.

- j. Bargaining unit employees may be paid for denied vacation if permitted by and in accordance with the applicable collective bargaining agreement.

## 6. Sick Leave

- a. Sick leave may be used in accordance with applicable collective bargaining agreements and the administrative rules of DAS in effect at the time the leave is requested.
- b. Sick leave may be granted to an employee who is unable to report to work because of illness or injury of the employee or a member of the employee's immediate family, or because of medical appointments or other ongoing treatment.
- c. The Board shall not unreasonably deny a request for sick leave.
- d. After an employee has used all accrued sick leave, the employee may request to use accrued vacation, compensatory time or personal leave, or leave without pay. All such requests require the approval of the Executive Director. If the request to use another form of leave in lieu of sick leave is denied, and the employee does not have sufficient sick leave to cover the absence, the employee may be subject to discipline for violation of the Standards of Employee Conduct (S-HR-001).
- e. The amount of sick leave charged against an employee's accrual shall be the amount used, charged in minimum units of one-tenth (1/10) hour.
- f. Newly accrued sick leave is not available for use until it appears on the employee's earnings statement and on the date the funds are made available.
- g. Requests for sick leave must be submitted to the employee's supervisor the day the employee returns to work.
- h. The Board shall follow the requirements of the Family Medical Leave Act (FMLA) S-LV-002, when an eligible employee's leave qualifies for FMLA coverage.

## 7. Compensatory Time

- a. Requests for compensatory time off shall be granted in accordance with applicable collective bargaining agreements, the administrative rules of DAS, and federal law in effect at the time the leave is requested.
- b. Overtime eligible employees
  - i. Requests for compensatory time off shall be made at least twenty-four (24) hours prior to the requested leave.
  - ii. Requests for compensatory time off will be granted unless the request would unduly disrupt the operations of the OBN.

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- iii. If the request for compensatory time off is denied, the compensatory time shall be paid to the employee, upon the employee's request, up to a maximum of eighty (80) hours in any pay period.
  - iv. Compensatory time is not available for use until it appears on the employee's earning statement and on the date the funds are made available.
- c. Overtime exempt employees
- i. Compensatory time shall be taken only at times mutually agreed to by the OBN and the employee.
  - ii. Compensatory time is not available for use until it appears on the employee's earning statement and on the date the funds are made available.
8. Unapproved Leave
- a. All unapproved leave shall be taken without pay rounded up to the nearest one-tenth (1/10) hour.
  - b. Being absent without leave may subject the employee to corrective and progressive disciplinary action in accordance with the Standards of Employee Conduct (S-HR-001).
9. Supervisors will respond promptly to requests for leave. If a prompt response cannot be provided, the supervisor will acknowledge the request and provide a reason for the delay in responding to the request for leave.

**Forms:** None.