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December 26, 2001

Payroll Letter 817

TO: Payroll Officers, Personnel Officers, Labor Relations Officers and Fiscal Officers  
of all Departments, Institutions, Boards & Commissions

FROM: Robert L. Cruse, State Payroll Administrator

SUBJECT: Military Leave – Payroll Reporting

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Since the September 11<sup>th</sup> tragedies, many State of Ohio employees have been called to serve our country and many more may be called in the future. This payroll letter provides direction to state departments/agencies concerning the military pay differential authorized by Amended Substitute Senate Bill 164, which was effective on November 20, 2001.

There are essentially two types of military leave:

- 1. Federal Duty pursuant to Executive Order by the President because of an Act of Congress or Governor's Order pursuant to ORC Section 5915.29** – employees serving in the uniformed services, called to federal duty because of an Executive Order of the President, because of an Act of Congress, or because of a Governor's directive pursuant to ORC Section 5919.29. Employees on this type of leave are paid by the federal government. This duty includes, but is not limited to the following: annual training, weekend drills, schools or other training, and most recently, Ohio National Guard members on airport security duty.
- 2. State Active Duty pursuant to Governor's Proclamation** - employees serving in the Ohio National Guard, called to state active duty by the Governor. This occurs infrequently and is most often in response to disasters or civil unrest. See, ORC Section 5923.21. Employees on this type of leave are paid by warrant of the Auditor of State.

Employees called to Federal Duty are eligible for the benefits provided in Amended Substitute Senate Bill 164 (Pay Differential and Health Care), while employees called to State Active Duty are not. Military Leave benefits and processes are defined below and apply to both State Active Duty and Federal Duty unless otherwise noted.

The Employee must:

1. Submit a copy of their published orders or a written statement from the appropriate military commander authorizing such service to their personnel department prior to being credited with such leave. See, ORC Section 5923.05.
2. Fill out the “Leave Request (Military)” form to indicate dates of leave requested (if known), to declare other leave usages, and to declare their health insurance option.

The agency must:

1. Report on payroll the usage of military leave up to the annual allotment of 176 hours. Time is reported on the employee’s payroll record using the payroll exception template “MIL”, that will generate the payroll exception “MIL 0.00 HRS @ \$\$.\$\$”.
2. Once an employee has exhausted their annual allotment of 176 hours of military leave, a Personnel Action (PA) Code I01 - “Military Leave,” with the beginning date and ending date must be processed. The PA code will remain on the employee’s records until the ending date has elapsed.
3. Once an employee has exhausted their annual allotment of 176 hours of military leave, agencies should report on payroll other leave usages (comp time, personal and vacation) as requested by the employee on the “Leave Request (Military)” form. Each employee must use all of the available leave time requested prior to being placed in a “NO-PAY” status. Employees will not be allowed to jump back and forth from paid leave to “NO-PAY” status.
4. Once an employee has exhausted their other requested leaves, they will be placed in a “Military Leave of Absence without Pay” status. The I01 PA code must remain on the employee’s payroll record. The I01 PA code drives the system’s processes including:
  - a. Provides normal step movement, service credit, and pay increase when the employee is in a ‘NO-PAY’ status.
  - b. Suspends payments of computer purchase loans, when funds are not available.
  - c. Identifies those employees who have been called to active duty.

### **Reporting of Time**

The employee must use available military leave until their 176 hours has been exhausted in each calendar year. Agency payroll officers shall post military leave usage for the first 176 hours in each calendar year that an employee is on military leave, based on the employee’s normal work schedule.

Starting on January 1<sup>st</sup> of each year, the employee will receive a new allotment of 176 hours of military leave. Those employees who continue on military leave into a new year will use their new allotment of military leave prior to using other types of available leave and prior to being placed in a “NO-PAY” status. Agency payroll officers shall post this time based on the employee’s normal work schedule. Employees are eligible for holiday pay for the Martin Luther King Jr. holiday in addition to the 176 hours of military leave. They are not eligible for the New Years day holiday unless they were in an active pay status on December 31<sup>st</sup>. For the pay period that includes the holiday, report military leave usage of 72 hours and holiday pay for 8 hours for full-time employees.

### **Health Insurance Coverage**

Employees wishing to continue their health care coverage with the State of Ohio must have completed the “Leave Request (Military)” form. Amended Substitute Senate Bill 164 provides for employees called to Federal Duty, that the State of Ohio will continue to pay the employer’s share of health insurance and the employee will still be responsible for their share of the insurance. Employees on State Active Duty will be responsible for both the employee and employer’s shares of the insurance. See, ORC Section 5923.051.

Employees who choose to carry a State of Ohio sponsored health plan may pay for their share using the following options:

1. Make a direct pay to their employer.
2. Payment will be automatically deducted from earnings that the employee receives during the payroll period
  - a. From usage of military leave (176 hours per year).
  - b. From their military leave differential as provided in SB 164.
3. Receive an advancement of money (up to \$1500) to cover the employee’s share of health care. A new payroll exception, “\*-MIL PENDING”, has been created to advance the employee money to cover their share of the insurance and to ensure continued coverage. This will work just like the current disability pending payroll exception. Agencies would track the amount of money advanced, then recoup their money once the employee receives a payment from the agency. Code as “LESS 1 ADJ \$\$\$\$.\$\$ MIL HOSP”.

### **Military Leave Pay Differential (Federal Duty Only)**

Each employee who is on Federal Duty shall be paid the difference between the employee's gross monthly wage or salary as a state of Ohio employee and the sum of the employee's gross uniformed pay and allowances received that month. Please use the attached worksheet to determine the employee’s monthly pay differential. Report on payroll as “PLUS 1 ADJ \$\$\$\$.\$\$ MIL DIFF.” Copies of completed worksheets and “Military Leave & Earnings Statements” must be forwarded to Payroll Administration, Human Resources Division, Ohio Department of Administrative Services, 29<sup>th</sup> floor Rhodes State Office Tower Columbus, OH 43215-3414.

Military Leave information is also available at the State of Ohio’s Web site ([www.ohio.gov](http://www.ohio.gov)). The website is maintained and updated periodically to provide information to employees and their families who are called to military duty and serves as a great resource for agency personnel.

If you have any questions concerning military leave, please contact the appropriate person:

Benefits Administration	1-800-409-1205
Payroll Support	614-466-2944
State Service	your assigned analyst
Military Leave Pay Differential	614-466-2831

JAM/jam  
Attachments

# LEAVE REQUEST (MILITARY)

Employee Name: \_\_\_\_\_

Agency Name: \_\_\_\_\_

I request Military Leave beginning on \_\_\_\_\_ and ending on \_\_\_\_\_ (projected).  
(Date) (Date)

I am allowed to use my other available leave balances (except sick leave) immediately after I have exhausted my 176 hour of military leave that is provided during each calendar year. Requested hours may not exceed my current leave balance. If the 'Hours Requested' areas are blank, I am requesting 0 hours. If the 'Order of Usage' is blank, I will allow my agency to determine the order.

Leave Type	Hours Requested	Order of Usage (1 <sup>st</sup> - 2 <sup>nd</sup> - 3 <sup>rd</sup> )
Compensatory Time		
Personal		
Vacation		

Once my available Military Leave has been exhausted and I have used the other available leave time I have chosen to use, I hereby authorize my agency to place me in "Military Leave of Absence without Pay" status.

Continuation of Health Insurance (please initial one)

\_\_\_\_\_ I do desire to retain my health insurance during this period.

\_\_\_\_\_ I do not desire to retain my health insurance or I currently have no insurance.

I have attached a copy of my military orders or a copy of a letter from my military commander for the above listed dates. I have read the union contract and/or Sections 5903, 5923.05, ORC, 123:1-34-04-05, OAC.

\_\_\_\_\_  
(Employee Signature) (Date)

Agency Contact \_\_\_\_\_ Phone number (\_\_\_\_) \_\_\_\_\_

You have full reinstatement rights after release from active duty **if** you submit a written request for reinstatement within 90 days from completion of service.

**\*\*PLEASE PROVIDE EMPLOYEE WITH COPY OF SIGNED FORM\*\***