

## **General Information on Sick Leave and Overnight Hospitalization and Outpatient Surgery**

Ohio Revised Code Section 124.382(D) authorizes the Director of the Department of Administrative Services to set the compensation rate for sick leave hours used. In Ohio Administrative Code Section 123:1-32-01 the Director has established the compensation rate for sick leave hours used. Generally, sick leave is compensated at 100% of the employee's base rate of pay. The exception to this general rule is for sick leave hours used from 40.1 to 80 in the leave year, the compensation rate shall be 70% of the employee's base rate of pay. This same concept and the related exceptions also appear in the state's collective bargaining agreements.

The most common exception to the 70% rule is that sick leave used contiguous to and in connection with an overnight hospital stay or outpatient surgery for the employee, the employee's spouse, or a child residing with the employee does not cause the employee to be paid at a reduced rate. While there is no mandated procedure or form required for an employee to claim the exemption, the agency may require an employee to provide proof that the exception applies. Accordingly, the *Physician or Health Care Provider Certification for Overnight Hospitalization* (Form ADM 4262) has been developed and is available for use to aid an agency in gathering the information necessary to make a proper determination. It is highly recommended that an agency internally mandate the use of this form in appropriate circumstances.