

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

**MEMORANDUM**

**TO:** SEE DISTRIBUTION

**FROM:** Gregory L. Wayt, Major General (Ohio), The Adjutant General 

**DATE:** January 5, 2005

**SUBJECT:** POLICY – State Employee Procedure Letter #35  
Union Leave for Bargaining Unit Employees

**1. REFERENCE:** Article 3, AFSCME/OCSEA Labor Agreement

**2. SCOPE:** This policy letter applies to only bargaining unit employees of this agency represented by the AFSCME/OCSEA Labor Agreement.

**3. DEFINITIONS: Union Leave**

**A. Leaves for union business:**

1. *Unpaid Leave* – Unpaid leaves of absence may be granted for attendance at certain union functions under Section 3.10 of the OCSEA Agreement. All such leave must be requested through the Office of Collective Bargaining (OCB) on the required form and approved in advance by OCB. No overtime will be paid to employees to attend such meetings.

Unpaid leaves of absence may also be granted to employees to assume either an elected or appointed union position. The employee is absent from work and away from the normal work-site. All such leave must be requested through OCB on the required form and approved in advance by OCB.

**These unpaid leaves are to be coded LESSU on the Time & Attendance record.**

2. *Paid Leaves* – Paid leaves of absence may be granted for union business under various contract sections. The request for leave must be submitted through OCB on the required form and approved in advance by OCB. No overtime will be paid to employees to attend such meetings.

**This leave is to be coded UT on the Time & Attendance record.**

**B. Leave to administer the labor agreement:**

State employees may function as union stewards, site delegates and other union representatives to represent employees at work-sites, for grievance meetings, pre-disciplinary meetings, etc. This type of leave does not require OCB approval, but does require notification to, and permission from the direct supervisor prior to leaving the work area or remaining in the work area but being unavailable for work due to permissible union activity. The employee may participate in on-site labor/management meetings, etc. This leave differs from that described in number 3(A) above because the employee is not off duty and often not away from the work-site.

**This leave is to be coded UT on the Time & Attendance record.**

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**C. Leaves of absence for joint labor/management activities:**

Employees serving on joint committees with labor and management attendees will be permitted leave with pay to attend these activities. Examples of joint committees include: Regional Work Adjustment Committees, Benefits Trust, Workforce Development, JHCC, Quality Services through Partnership, agency state-wide professional committees and Health and Safety Committees. Bargaining unit representatives for these types of committees will be granted time off with pay to attend such meetings during normal work hours. No overtime will be paid to employees to attend such committee meetings.

**This leave is to be coded JUT on the Time & Attendance record.**

**4. INSTRUCTIONS FOR REQUESTING UNION LEAVE:** Employees functioning as union stewards, site delegates and other union representatives shall complete the Union Leave Log Form (Enclosure 1) or a Request for Leave Form before they begin any union business as described in the OCSEA Collective Bargaining Agreement.

- A. **Submission of a Leave Form ADM 4258:** The standard Request for Leave form should be submitted for absences requiring the employee to be away from the employee's regular work-site. Examples are leaves approved per Section 3.10.
- B. **Supervisory approval:** As with any request for leave, appropriate supervisory approval (signature) is required. Supervisors should instruct employees who normally perform Union functions or approval requirements in the supervisor's absence. OCSEA must verify the member's attendance for any meeting requested under Section 3.10 – Union Leave.
- C. **Joint Committees:** Employees serving on joint committees with labor and management attendees listed in 3(c) should also request paid leave of absence using form ADM 4258. Employees should check the box marked "Other" and list the committee name. Such leave is always with pay unless a supervisor is otherwise informed by the agency labor relations office. The supervisor should note in the "Remarks" box that this is paid leave for a joint labor management committee.
- D. The attached Union Leave Log has been jointly developed by OCB, state agencies and the unions to be used by employees seeking release for time away from normal duties at the work-site for activities such as grievance meetings, representing employees at pre-disciplinary meetings, on-site labor/management meetings, etc. This differs from leave described in sections 4(a) and 4(b) above in that the employee is not off duty. All leaves for activities listed in C above must be documented on the Union Leave Log form.
- E. Pursuant to contractual provisions, supervisory approval (signature) is required for stewards and chapter officers to take time away from work while on duty to assist employees with grievances or other contract administration. Supervisors will instruct employees who normally perform union functions of approval requirements in the supervisor's absence.

**Enclosure:**

- 1. **Union Leave Log Form**
- 2. **OCSEA Union Leave Matrix**

**DISTRIBUTION:**

**AD**



<b>OCSEA UNION LEAVE MATRIX</b>					
<b>Article/ Section</b>	<b>Sub- section</b>	<b>Purpose</b>	<b>Notice</b>	<b>Paid</b>	<b>Payroll Code</b>
3.02		Steward Release	Notify Supervisor	Y	UT
3.03		Joint Committees	Reasonable Notice	Y	JUT
3.10		Union State, Area Wide Meetings	7 days	N	LESSU
3.10		State conventions, conferences, state AFL-CIO Convention, AFSCME International	5 days	N	LESSU
3.10		President		N	LESSU
3.10		Executive Board, 28 members every other month		Y	UT
25.06		Steward Release	Notify Supervisor	Y	UT
21.01		Benefits Trust		Y	JUT
31.01	(A)	Union Officer, Staff		N	LESSU
37.02		Work Force Development, 4 people		Y	JUT
43.02		Negotiations, 40 members, Total of 24 hours, final weeks of bargaining		Y	UT
43.02		Negotiations, 25 members, Time spent plus 3 days each		Y	UT

**ENCLOSURE 2**