

**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, The Adjutant General 

**DATE:** January 5, 2005

**SUBJECT:** POLICY – State Employee Procedure Letter #36  
Emergency Service Leave (ESL)

1. **REFERENCES:** Ohio Revised Code Sections 124.1310, 4113.41, 4765.01, 4765.30
2. **PURPOSE:** ESL is intended to provide state employees paid leave when the employee must be absent from work in order to provide volunteer emergency service. At the beginning of each calendar year, eligible state employees will receive forty hours of paid leave for use when providing emergency medical service in accordance with the statutory duties as defined by R.C. 4765.01 (G).
3. **SCOPE:** This policy applies to all full-time and part-time permanent employees of The Adjutant General's Department if the employee has met the certification requirements for holding a position as an EMT-basic, EMT-I, first responder, paramedic or volunteer firefighter.

To notify the department of the employee's status as a volunteer firefighter and/or volunteer provider of emergency services, the employee shall submit the following no later than thirty days after receiving certification as a volunteer firefighter and/or a volunteer provider of emergency services.

- a. A written notification signed by the chief of the volunteer fire department with which the employee serves, and/or
- b. A written notification signed by the medical director or chief administrator of the cooperating physician advisory board of the emergency medical organization with which the employee serves

4. **LEAVE AND BENEFIT AMOUNT:** An employee who is an EMT-basic, EMT-I, first responder, paramedic or volunteer firefighter shall receive forty hours of leave with pay each calendar year to use during those hours when the employee is absent from work in order to provide emergency medical service or fire-fighting service.. An appointing authority shall compensate an employee who uses leave granted under this section at the employee's regular rate of pay for those regular work hours during which the employee is absent from work.

Employees using ESL remain in active pay status like any other form of paid leave and continue accruing vacation, personal and sick time at the normal rate.

5. **REQUEST FOR LEAVE:** Employees requesting paid ESL must use the standard Request for Leave form (ADM 4258) as soon as practicable. Employees must mark the box for "Other" and specifically indicate "Emergency Service Leave" on the form. Employees must also provide

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verification documentation as described below.

Employees who previously scheduled an absence using other forms of leave **shall not be permitted to substitute** the planned leave for ESL.

**6. VERIFICATION DOCUMENTATION:** An employee who loses time away from the department to respond to an emergency, shall provide his or her supervisor with a written statement stating that

- a. the employee responded to an emergency **and**
- b. the time of that response.

The written statement must be signed by either

- a. the chief of the volunteer fire department, **or**
- b. the medical director or chief administrator of the cooperating physician advisory board of the emergency medical service organization.

**7. INJURY OR ILLNESS DUE TO LEAVE:** Employees who experience medical complications as a result of taking ESL may apply for state disability leave benefits. Employees would be required to meet all eligibility criteria for disability leave including serving a fourteen-day waiting period. Employees may utilize sick, vacation, personal leaves and/or compensatory time to receive pay during the fourteen-day waiting period and to supplement the 70% wages for the remaining time of disability leave benefits or any portion thereof.

**8. OVERTIME:** No portion of ESL will be included in calculating overtime.

**9. RECOVERY OF IMPROPERLY PAID BENEFITS:** All necessary steps will be taken to recover ESL benefits paid in error or paid as a result of fraud. An employee who knowingly engages in fraud may be subject to discipline.

**DISTRIBUTION:**

**AD**