



# Ohio Legislative Service Commission

## Bill Analysis

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### **S.B. 104**

128th General Assembly  
(As Introduced)

**Sens.** Faber and Fedor, Gibbs, Patton, Schaffer, Schuring, Seitz, Turner, Strahorn

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## **BILL SUMMARY**

- Grants annual military leave of up to 408 hours to firefighters and those other public employees who do not work a traditional workweek of 40 hours.
- Entitles firefighters and these public employees to use such leave to cover an entire work shift any part of which was used to perform military services.

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## **CONTENT AND OPERATION**

### **Military leave: firefighters and other public employees with nontraditional work schedule**

Under current law, permanent public employees<sup>1</sup> who are members of the Ohio organized militia or members of other United States armed forces reserve components, including the Ohio National Guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services,<sup>2</sup> for periods of up to one month,<sup>3</sup> for each calendar year in which they are performing service in the uniformed services.

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<sup>1</sup> "Permanent public employee" is any person holding a position in public employment that requires working a regular schedule of 26 consecutive biweekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration (R.C. 5923.05(A)(2)(c)).

<sup>2</sup> "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the public health service, and any other category of persons designated by the President in time of war or emergency (R.C. 5923.05(A)(2)(f)).

Under the bill, firefighters and other permanent public employees who do not work a traditional workweek of 40 hours are entitled to use the leave of absence to cover an entire work shift any part of which the employee is absent because of performing service in the uniformed services. As it relates to firefighters and other permanent public employees who do not work a traditional 40-hour workweek, "month" means 408 hours within one calendar year. Therefore, the bill grants firefighters and those other public employees who do not work a traditional workweek of 40 hours annual military leave of up to 408 hours, instead of 176 hours. (R.C. 5923.05(A).)

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## HISTORY

ACTION	DATE
Introduced	04-09-09

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<sup>3</sup> "Month" means 22 eight-hour work days or 176 hours within one calendar year (R.C. 5923.05(A)(2)(b)).

