
ADJUTANT GENERAL

- Modifies the leave of absence law for certain permanent public employees who are members of the Ohio organized militia or other reserve components of the U.S. Armed Forces, including the Ohio National Guard.

Military leave for permanent public employees

(R.C. 5923.05)

The act modifies the leave of absence law for certain permanent public employees who are members of the Ohio organized militia or other reserve components of the U.S. Armed Forces, including the Ohio National Guard. It establishes that the entitlement applies to each federal fiscal year, which is from October 1 through September 30. Former law applied the entitlement to a calendar year. Under continuing law, these employees are entitled to a leave of absence from their positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month per year. (Under continuing law, public employees of a municipality may be subject to the municipality's ordinance related to leave of absence for military members and not the state law. A municipal employee may be offered a different entitlement because of municipal home rule authority. A municipality's ordinance regulating employee wages while on military leave of absence has been held to be a matter of substantive local self-government.¹)

¹ *Northern Ohio Patrolmen's Benevolent Assn. et. al., v. City of Parma et. al.*, 61 Ohio St.2d 375 (1980).

