

EMPLOYMENT LAW SUMMARY

Ohio Employee Leave Laws - Overview



Because You're Different

As part of their overall compensation packages, employers may provide their employees with various types of paid or unpaid leave, such as vacation time, personal leave and sick leave. Employers have some flexibility when it comes to establishing or negotiating employee leave policies. However, Ohio state laws require covered employers to provide employees with leave in certain situations. (Employers must also be sure to comply with federal leave laws not discussed here, such as the Family and Medical Leave Act.)

Ohio has state employment laws that require:

- Voting leave;
- Jury duty leave;
- Victim leave;
- Military leave;
- Military family leave; and
- Maternity leave.

The chart below provides a high-level overview of Ohio state laws requiring employee leave.

Overview of Ohio Employee Leave Laws

TYPE OF LEAVE	REQUIREMENTS
Voting Leave	Employers may not discharge, or threaten to discharge, or inflict any injury, harm or loss on, an employee for taking a reasonable amount of time to vote on election day.
Jury Duty Leave	Employers may not discharge, threaten to discharge, or take any disciplinary action that could lead to discharge of any permanent employee who takes time off from work for jury service. Leave is unpaid. Employees must provide reasonable advance notice of jury duty.

TYPE OF LEAVE	REQUIREMENTS
Victim Leave	<p>Ohio law provides that victims and victims' representatives have the right to attend grand jury proceedings, juvenile delinquency cases and criminal cases without being discharged from their employment, having their pay decreased or withheld, or being otherwise punished, penalized or threatened as a result of time lost from regular employment because of their attendance at the proceedings.</p> <p>In addition, employers are prohibited from discharging, disciplining or otherwise retaliating against a victim, a member of a victim's family, or a victim's representative for:</p> <ul style="list-style-type: none"> • Participating, at the prosecutor's request, in preparation for a criminal or delinquency proceeding; • Attending a criminal or delinquency proceeding if the attendance is reasonably necessary to protect the victim's interests; • Attending a criminal or delinquency proceeding if the victim's attendance is pursuant to a victim's constitutional and statutory rights. <p>An employer who knowingly violates this section is in contempt of court.</p> <p>A 2023 amendment to the law removed a clause specifying that employers were not required to pay employees for time lost as a result of attendance at a criminal or delinquency proceeding.</p>
Military Leave	<p>In addition to USERRA, Ohio has laws providing protections for military service members as follows:</p> <ul style="list-style-type: none"> • Reinstatement and employment rights for employees who are absent from work due to service in the U.S. uniformed services or the organized militia of Ohio or of any other state. • Nondiscrimination requirements applicable to employers with four or more employees. • Continuation of health benefits for reservists, including National Guard members, called to active duty.
Military Family Leave	<p>Employers with 50 or more employees must provide eligible employees with unpaid military family leave. To be eligible, an employee must:</p> <ul style="list-style-type: none"> • Be the spouse, parent, legal guardian or former legal guardian of a person who is a member of the uniformed services and is (1) called into active duty for a period longer than 30 days, or (2) injured wounded or hospitalized while serving on active duty; and • Have been employed by the same employer for at least 12 consecutive months, and must have worked at least 1,250 hours during the 12-month period immediately before the leave. Once per calendar year, eligible employees may take up to 10 days or 80 hours, whichever is less, of military family leave. Employees must use up all other types of available leave, except sick leave or disability leave, before taking a military family leave. Job protections apply to employees taking leave. Advance notice requirements apply, except when the family member's injury, wound or hospitalization is critical or life-threatening.
Maternity Leave	<p>Nondiscrimination requirements apply to employers with four or more employees. Female employees of covered employers who are affected by childbirth, or related medical conditions must be treated the same for all employment-related purposes as other persons not affected by pregnancy, but similar in their ability or inability to work.</p>

SPECIAL NOTE: The information in this chart focuses on statewide laws. Employers are advised that cities, towns and counties across the country have also enacted ordinances that require employers to provide employee leave. Employers must generally comply with both the local ordinance and statewide law where they apply.

More Information

Contact Heffernan Insurance Brokers for more information on employee leave laws in Ohio.

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