

ARTICLE 15. Military Leave

A. General

An employee shall be granted military leave as specified below, provided that the employee gives advance verbal or written notice of the leave except when such notice is precluded by military necessity, impossibility, or unreasonableness. In the granting of such leave, the University may require verification of an employee's military orders.

B. Types of Military Leave

Military leave consists of:

1. Reserve training leave for inactive duty, such as weekly or monthly meetings or weekend drills.
2. Temporary military leave when ordered to full-time active military duty for training for a period not to exceed 180 calendar days, including time spent traveling to and from such duty.
3. Extended military leave when an employee enlists or is ordered into active-duty service of any length or active-duty training in excess of 180 days or when an employee is ordered into active Federal military duty as a member of the National Guard or Naval Militia. Such leave shall be granted for a period not to exceed 5 years. In addition, leave shall be granted for a period up to 6 months from the date of release from duty.
4. Emergency National Guard leave when an employee who as a member of the National Guard is called to active duty by proclamation of the Governor during a state of emergency. An employee who as a member of the National Guard is called to active federal military duty at the request of the President of the United States is not eligible for emergency National Guard leave, but shall be granted extended military leave.
5. Physical examination leave when an employee is required to take a pre-induction or pre-enlistment physical examination to fulfill a commitment under a Selective Service or comparable law, or during a period of war or comparable national emergency.

C. Pay for Leave

1. An employee granted temporary military leave for reserve training for inactive duty, active-duty training or extended military leave is entitled to receive the employee's regular University pay for the first 30 calendar days of such leave in any one fiscal year, provided that the employee has completed 12 months of continuous University service immediately prior to the granting of the leave (all prior full-time military service shall be included in calculating this University service requirement) and provided that the aggregate of payments for reserve training for inactive duty, temporary military leave, extended military leave, and military leave for physical examination do not exceed 30 calendar days' in any one fiscal year.
2. An employee granted physical examination leave is entitled to receive the employee's regular University pay provided that the aggregate of payments for temporary military leave, reserve training for inactive duty, extended military leave, and military leave for physical examination do not exceed 30 calendar days pay in any one fiscal year.
3. An employee granted military leave for emergency National Guard duty is entitled to receive the employee's regular University pay for a period not to exceed 30 calendar days in any one fiscal year. An employee is eligible for pay regardless of the length of University service, and such pay is in addition to any University payment for temporary military leave for reserve training for inactive duty, active-duty training, extended military leave, and military leave for physical examinations.

4. An employee who is not eligible for military leave with pay may have such absence charged to accrued vacation or compensatory time off, or the military leave may be without pay.

D. Reinstatement

Following release from military service, an employee shall have such right to return, and only such right, as may be required by State and Federal law in effect at the time the employee applies for reinstatement.

E. Effect on Benefits

An employee granted military leave shall receive benefits as provided below:

1. An employee granted military leave with pay shall receive all benefits related to employment that are granted when an employee is on pay status.
2. An employee granted military leave without pay shall receive:
 - a. retirement benefits and service credit in accord with the provisions of the applicable retirement system;
 - b. health plan coverage at the employee's request and expense for a limited period of time as describe in the University Group Insurance Regulations;
 - c. other length-of-service credits related to employment that would have been granted had the employee not been absent, provided that the employee returns to University service at the conclusion of the leave in accordance with applicable Federal and State laws;
 - d. vacation and sick leave accruals and holiday pay only in accordance with those policies.