

MILITARY LEAVE
(Military Reserve Unit Active Duty Leave)

The School Board supports our nation's need to maintain a system of Military Reserve Units. In support of this concept, the Board makes provision for military leave requests by district employees assigned to a Military Reserve Unit according to existing law and the following guidelines.

- A. Regular employees will be entitled to a Military Reserve Unit Active Duty Leave for service with the armed services of the United States, for a period not to exceed four years, unless extended up to one additional year by the federal government. No employee granted such leave shall be subject to a loss of seniority due to such leave.
- B. The employee must immediately notify his/her supervisor and the Superintendent in writing upon receipt of an active duty assignment and submit a letter requesting a Military Reserve Unit Active Duty Leave. The letter should include the dates when leave shall begin and end.
- C. Pay and benefits will be provided during such leave as specified in the bargaining agreement.
- D. The employee must apply to the Board for reinstatement within 30 days of completion of active service if activated for fewer than 90 days, or within 90 days if activated for a longer period of time. Any provision for continued pay/benefits in C. above shall apply only to the time of actual military service.
- E. The employee has the right to be returned to a position at least at the same level (not necessarily the same assignment) and to the same seniority and pay he/she would have enjoyed had there been no such leave of absence.
- F. As provided by federal law, a returning reservist cannot be terminated without cause as follows:
 - 1. If call-up lasts 90 days or less—for six months following the return to work; or

2. If call-up lasts more than 90 days—for a full year following the return to work.
- G. Employees eligible for vacation shall not accrue vacation time while on military leave.
- H. Any person employed to take the place of a person on such leave shall be informed in his/her employment agreement of the temporary nature of the position and the rights of the employee on military leave upon his/her return.
- I. In the event of conflict between any provision of this policy and an applicative collective bargaining agreement, the latter shall apply.
- J. In the event of conflict between a provision of this policy and any federal or state statute relating to military service by public employees, the provisions of federal or state statute shall apply.

Legal Reference: 38 USC § 2021-2024 (Veterans Re-employment Act)

Adopted: May 9, 2000

Revised: _____