

PROFESSIONAL AND SUPPORT STAFF MILITARY LEAVE
(MILITARY RESERVE UNIT ACTIVE DUTY LEAVE)

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The school board supports our nation's need for 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.

1. Regular employees shall 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.
2. The employee must immediately notify his/her supervisor and the Superintendent of schools in writing upon receipt of an active duty assignment. A letter requesting a Military Reserve Unit Active Duty Leave and the dates thereof also must be submitted to the superintendent of schools at this time.
3. Pay and benefits will be provided during such leave as specified in the bargained agreement.
4. The employee must apply to the board for reinstatement within 31 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 #3 above shall apply only to the time of actual military service.
5. 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.
6. As provided by law, a returning reservist cannot be terminated without cause as follows:
 - a. If call-up lasts 90 days or less - for six months following the return to work.

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b. If call-up lasts for more than 90 days - for a full year following the return to work.

7. Employees eligible for vacation shall not accrue vacation time while on such leave.

8. Any person employed to take the place of a person on such leave shall be fully informed in his/her employment agreement of the temporary nature of the position and the rights that obtain for the person on his/her return.

9. In the event of conflict between any provision of this policy and the bargained agreement, the latter shall apply.

10. In the event of conflict between a provision of this policy and any federal or state statutes relating to military service by public employees, the provisions of such pertinent federal or state statute then applicable will apply and be paramount to the specific contradicted policy provision herein.

LEGAL REFERENCE: 38 U.S.C. Section 2021-2024 -- Veterans'
Reemployment Rights Act (federal).

APPROVED: 4/30/91