



STAFF EMPLOYMENT MANUAL

Title: 3.0 Employment Practices

Chapter: 3.08 Re-employment of Veterans

Issuance Status and Effective Date: July 2011

The University fully supports our veteran employees as well as current enlisted employees who are involved in the National Guard and Reserves. Our policies comply with all federal regulations as outlined in the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

1. Long-term Military Leave

Military leave is a leave of absence from employment with the University for the purpose of serving on active duty with the armed forces of the United States. Military leave is without pay and carries the promise of reinstatement in the position held prior to going on leave, or an equivalent position without loss of pay or benefits.

- a. Any regular full-time or regular part-time employee of the University who qualifies for USERRA is eligible for a military leave of absence.
- b. The granting of military leave will be automatic for all eligible employees.
- c. Eligible employees will be required to take any unused Vacation and Personal Days prior to beginning an unpaid leave of absence.
- d. An employee who fails to return to University employment within the specified time frame following military discharge will be considered to have voluntarily resigned. If, in that period, the employee accepts other employment outside the University, he/she will be automatically terminated.
- e. An employee on military leave of absence:
 - does not accrue Vacation or Personal Days;
 - is not eligible for holiday pay for any holidays that occur during leave;
 - retains eligibility for tuition remission benefits based on the current Tuition Remission Policy;
 - retains seniority status as it affects Vacation, eligibility for leave, Defined Contribution Retirement Annuity Plan contributions and life insurance benefits; and
 - qualifies for general salary adjustments made during the leave, i.e., the veteran is entitled to the pay rate he/she would have reached if employment had not been interrupted.

2. Reinstatement of Returning Veterans

The University must restore to employment each returning veteran, regardless of the manner in which he/she entered the service (enlistment, draft or recall) if the veteran meets the eligibility requirements listed in sub-paragraphs (a) through (e), below. The fact that the returning employee's former department has no openings does not mitigate the University's responsibility for re-employment. Merchant Marine personnel and Service Academy cadets do not have re-employment rights.

To be eligible for re-employment, the veteran must meet all of the following requirements:

- a. must have been separated, discharged or released from service in an honorable/general status;
- b. must not have served voluntarily for more than five consecutive years;
- c. must apply for his/her job orally or in writing to HRD within the proper time limit following separation, discharge or release as follows:

<u>Length of Covered Military Service</u>	<u>Time Limit</u>
More than 30 days but less than six months	31 days
More than six months	90 days

- d. must have been a regular full-time or regular part-time employee at the time Military Leave began; and
- e. must be able to perform the essential functions of his/her former job. If he/she has a service-connected disability, he/she must be given any job he/she can perform. (See also **Section 3.03-2, 4, Vietnam Era Veterans Readjustment Assistance Act of 1974.**)

Questions regarding the reinstatement of returning veterans should be referred to HRD.