

GBCCA – MILITARY LEAVE

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

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.

PAY FOR LEAVE – The employee granted military leave shall receive payment as provided below:

1. An employee granted temporary military leave for inactive-duty training, active-duty training, or extended military leave is entitled to receive the employee's regular pay for the first 10 calendar days of such leave in any one school year, provided that the employee has completed 12 months of continuous school district service immediately prior to the granting of the leave. The employee is required to reimburse the District for any military pay received during this school district paid leave, not to exceed the regular pay received by the employee.
2. An employee granted military leave for emergency National Guard duty is entitled to receive the employee's regular pay for the first 10 calendar days of such leave in any one school year. The employee is required to reimburse the District for any military pay received during this school district paid leave, not to exceed the regular pay received by the employee.
3. An employee granted physical examination leave as defined above, is entitled to receive

the employee's regular pay for the first 10 calendar days of such leave in any one school year. The employee is required to reimburse the District for any military pay received during this school district paid leave, not to exceed the regular pay received by the employee.

Time off for other physical examinations in connection with military service may be charged to accrued sick leave, accrued vacation leave, or shall be without pay.

4. An employee who is not eligible for military leave with pay for the first 10 calendar days may have such absence charged to accrued sick leave, accrued vacation leave, or shall be without pay.
5. The total paid military leave for any employee is capped at 10 days per school year, and subject to the employee reimbursing the School District for military pay received during this leave.

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 such reinstatement.

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 regular District duty.
2. An employee granted military leave without pay may elect to continue existing school district-based health plan coverage at the employee's expense and for a limited time period per law.

Statutory/Regulatory/Policy/Handbook Cross References

38 U.S.C. §4301 et seq., The Uniformed Services Employment and Reemployment Rights Act (USERRA)
RSA 110-C (National Guard; Rights and Protections)
RSA 112 (Public Officers or Employees; Military Leave)
Handbook (Referenced in Personnel Handbooks)

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