

Sparta Area School District

Article 310 - Military Leave

Requests for military leave will be approved when appropriate prior advanced notice is provided to the district.

Board policy and federal law protect any employee who is absent from work due to service in the uniformed services, which includes active or inactive duty, training for active or inactive duty, National Guard duty, and absence due to a fitness exam relating to active or inactive duty. This covers those who have already enlisted and are called up for duty as well as those who are volunteering.

A person's employment is protected for cumulative absences totaling up to five years. Annual training in the Guard or the Reserves and service during a declared national emergency are not counted toward the five-year cap.

The staff member will be allowed to use accrued paid leave time. Full time employees may utilize paid leave in full day increments or in partial increments to offset the difference between district pay and military pay until paid leave is exhausted. Once paid leave is exhausted, there will be no more district compensation.

Employees on military leave will be permitted to continue health insurance coverage for at least 24 months. An employee on leave for one year or less, will not be required to pay more than his or her normal share of any health insurance premium. An employee on leave for more than one year, and who has exhausted their paid leave, will be required to pay 100% of their health insurance premium.

An employee who missed one to 90 days of work due to military service will be reemployed in the position he or she would have held had the employee remained continuously employed. An employee who missed 91 or more days of work will be reemployed, but it may be in a position of like seniority and status instead of the actual position he or she held or would have held had the employee remained in continuous employment.

Within 30 days after an employee's re-employment, the district will make all contributions to the employee's retirement account accrued during their leave of absence.

Reemployment is contingent upon timely application as outlined in state and federal statute. Reemployment may be refused in the case of disqualifying or other-than-honorable discharge.

In cases where an employee's spouse has been "called up" into military service and will be stationed out of Wisconsin for more than 90 days and upon the return of a spouse from a tour of duty exceeding one year, an employee may be granted up to two days of personal business leave to be used in relation to the needs of the departure and/or return.

The Sparta Area School District does not discriminate on the basis of participation in uniformed services. The district will post a notice of employee rights under USERRA with other required notices for employees.

Legal Reference: Uniformed Services Employment and Reemployment Rights Act
Veterans Benefits Improvement Act of 2004
Wisconsin Statute 21.79: Reemployment after completion of military service

Cross Reference: Article 304 – Leave of Absence

Approved:

Revised: July 25, 2006