



The
UNIVERSITY
of **VERMONT**

Policy V. 4.2.1.1

Responsible Official: Vice President for
Finance and Administration

Effective Date: February 7th 2007

Military Leave

Policy Statement

UVM supports employees who must be away from their jobs to serve in the armed forces of the United States.

Reason for the Policy

To ensure that the University's personnel practices are supportive to employees who serve and to be in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Strategic Direction

This policy supports the following goal in the [University's Strategic Plan](#):

- Focus the human, fiscal, environmental, technological and physical resources of the University on institutional values and priorities

Applicability of the Policy

This policy applies to all University of Vermont faculty and staff.

Policy Elaboration

Short-Term Military Service

Employees who serve in the National Guard or military reserve will be granted time off for periods of service. The employee's supervisor may seek to coordinate with the military services in arranging time off for active duty to meet the needs of both the University and the military. In all cases, UVM will make the accommodations required by the USERRA.

During the period of annual training, UVM continues the employee's salary or hourly payments for up to 10 working days, provided that the probationary period for the first UVM position has

been completed. When the annual training period extends beyond ten working days, UVM pay will be discontinued. If the employee has not yet completed probation, time off will be granted without UVM salary or hourly payments. The period of time during an absence for military duty will not count toward the completion of probation.

Emergency Activities

National Guard or Reserve units ordered to active duty by the Governor of Vermont or the President of the United States will not interrupt regular salary or hourly payments from UVM, provided that the total number of days involved in the emergency call-out is not more than ten working days in the year. If temporary military service due to emergency call-out exceeds ten days in any year, the employee will be placed on non-paid leave status. If the probationary period has not been completed, time off will be granted for the call-out, but without UVM salary or hourly payments.

During periods of temporary military duty, limited to ten days of the annual training period and ten days of emergency service in any year, all fringe benefits for which the employee is eligible will continue with UVM contributions.

Long-Term Military Service

When the employee leaves UVM employment to join the armed forces or to begin a period of Initial Active Duty with the National Guard or Reserves, his or her pay will cease as of the last day of UVM employment. Benefits will cease within the policies for termination. Employment rights upon the employee's return from active duty will be as required by the USERRA and any other pertinent legislation.

Definitions

Emergency call-out: Temporary service due to an order by the Governor of Vermont or the President of the United States limited to 10 days per year.

Long Term Military Service: When an employee leaves the University employment for service in the armed forces.

Short Term Military Service: Mandatory active duty.

USERRA: Armed Services Employment and Reemployment Rights Act

Procedures

Procedures for Re-Employment

If an employee leaves UVM employment to perform service in the armed forces as defined by

the USERRA, and provided he or she meets the eligibility criteria of the USERRA, the employee is entitled to reinstatement in a UVM position as required by the USERRA. The terms of the USERRA provide that:

- After a period of service of less than 31 days, the employee must report back to work not later than the beginning of the first full regularly scheduled work period on the first full calendar day following the completion of the period of service and the expiration of eight hours after a period allowing for safe transportation from the place of service to the person's residence.
- Following a period of service of 31-180 days, the employee must submit an application for re-employment within 14 days of his or her release from military service.
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- Following a period of service of 181 days or more, the employee must submit an application for re-employment within 90 days of his or her release from military service.
- The employee must supply Human Resources with evidence of satisfactory completion of active military service.
- The period of military service must not exceed five years (plus one additional year at the convenience of the government).

When the employee returns to UVM employment, he or she will be reinstated with credit for previous University service and the period of military service. In addition, the employee's pay will be set at the rate he or she would have received if the employment had been continuous.

If the employee becomes re-employed by UVM after the period of military service, and he or she had continued enrollment in UVM's retirement plan during the leave, he or she may regain the amount of UVM retirement contributions that would have been received during the absence. To be eligible, the employee must meet the reinstatement requirements described above. In order to receive these, the employee must contribute the minimum required percentage of his or her gross straight-time income at the time of separation for the entire period of absence within the time limits required by the USERRA; the employee will then receive UVM's contribution for the period of absence based on his or her gross straight-time pay at the time of separation.

Forms

None

Contacts

Questions related to the daily operational interpretation of this policy should be directed to:

Human Resources/Employee and Labor Relations
656-4467

The Vice President for Finance and Administration is the official responsible for the interpretation and administration of this policy.

Related Documents/Policies

None

Effective Date

Signed by the President on February 7, 2007