# Title:
Leave and Reemployment Rights of Employees on Military Duty

## Type:
Human Resources

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| Responsible Office: Human Resources | Approved By: Non-Substantive Updates |
| Next Review: | Revision No: |

## I. Purpose/Introduction/Rationale

The purpose of this procedure is to define the College policy with reference to re-employment rights of employees after a leave of absence caused by entry into extended United States military service (or public health service), whether voluntary or otherwise. It is intended that this policy conform to the Uniformed Services Employment and Reemployment Rights Act of 1994.

## II. Definition

This policy applies to all faculty and regular full and part-time staff members who work at least 1,000 hours annually.

## III. Procedure or Application

### A. Eligibility
1. Any employee of the College who has completed one day of regular employment and who is drafted for military service or who volunteers for service in any branch of the Armed Forces of the United States, shall, upon completion of such service, be reinstated to employment with the College in accordance with the applicable laws regulating such matters.
2. Temporary and casual employees are not eligible for employment with reinstatement rights.

### B. Compensation & Benefits
1. Military leave is taken in a non-pay status.
2. The following benefit plans are pertinent to employees who are on military leave:
   a. Health Insurance Coverage - The employee may continue enrollment in the College's insurance plans for the period of the military leave up to five (5) years. Coverage for the first 18 months will be paid at the employee's shared rate. If the leave extends beyond 18 months, the employee will be expected to pay the full premium plus applicable administrative fees. Upon re-employment following military leave, coverage will begin immediately.
   b. Retirement Plan - Upon return from military service, the College will give retroactive contributions on the same basis as if the employee had not left provided the employee was an enrolled member of a retirement plan at the time of the leave. Percentage of contribution will be made on the base salary the employee would have earned taking into account any pay increases that may have occurred during the leave period. For the portion of the College contribution dependent on the employee's contribution, the employee may repay missed contributions over a period of three (3) times the military service leave period or five (5) years whichever is less.
3. Employees on military service leave will not accrue Paid Time Off (PTO) while on leave.
C. Service Continuation

1. Employees are required to provide written notice requesting military leave as soon as is practicable following notification of military call up or reservist duty.

2. Employees returning from military leave are entitled to the same or similar position provided they satisfy the return to work provisions as follows:

<table>
<thead>
<tr>
<th>If the period of active duty was</th>
<th>Employee must report to work following duty</th>
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<tbody>
<tr>
<td>30 days or less</td>
<td>Next scheduled work day</td>
</tr>
<tr>
<td>31-180 days</td>
<td>Within 14 days</td>
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<tr>
<td>181 days - 5 years</td>
<td>Within 90 days</td>
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</table>

3. For leaves for military duty beyond thirty (30) days, the employee shall notify his/her immediate supervisor, Dean or Human Resources Department in writing of his/her intention to return to work. (Special conditions on time for requesting return to active employment apply for individuals hospitalized at time of release as a result of a service-related illness/injury. In such instance, contact the College's Human Resources Department.) To insure that proper consideration can be given with regard to returning the employee to his/her original position, it is helpful if the employee would indicate his/her intention to return to active college employment prior to the expiration of the military leave of absence.

4. If it is necessary to replace an employee who is granted a leave of absence for military service, the appointment of the new person will be for a period not longer than the duration of the military absence of the original person. During the period of employment, the new member shall not be granted a military leave of absence. The new member shall be informed in writing of the conditions of employment when employment begins.

D. General

This procedure is only a summary of the Uniformed Services Employment and Re-Employment Rights Act of 1994; the law itself governs any individual case. Because many modifying circumstances may affect the interpretation of an individual case, the Human Resources Department should be consulted where there is doubt as to the College's obligation.

IV. Related Policies or Applicable Publications

See also: Paid Time Off (PTO) – Staff Policy, Rollins College Retirement Plan Document

V. Appendices/Supplemental Materials

N/A

VI. Rationale for Revision

N/A