



Military Leave Policy

Section: Employment and General Policies
Date Approved: July 29, 2014 by Senior Staff
Reviewed/Reaffirmed:
Effective Date: August 1, 2014
Revised:

I. Purpose

To ensure compliance of the Uniformed Services Employment and Reemployment Act of 1994 (USERRA) and to ensure that the University follows federal regulations. USERRA protects the job rights and benefits of employee's when they serve or have served in the Uniformed Services.

II. Policy

Franklin Pierce University recognizes the need to protect the individuals who are required to be absent from work for the purposes of completing military training and service, including duty performed on a voluntary or involuntary basis, in time of peace and war.¹ The University will grant a military leave of absence that is unpaid.

III. Procedure

Notification of Leave: Employees must notify the supervisor and Human Resources of any need to perform military service. A minimum of two (2) weeks is required or when it is feasible to do so, and employee must complete a Request for Unpaid Leave and accompanied by a copy of official orders (if possible). A copy of official orders must be provided for any leave period that exceeds thirty (30) days.

Leave will be granted provided that the cumulative length of service in the uniformed services does not exceed five (5) years from the University, unless an additional period of service is required by the Federal or State government.

Pay: Leave for military absences are unpaid. Employees are able to use accrued time while on leave (vacation) but are not required to do so.

Benefit Continuation:

Medical, Dental, Vision - While on a military leave of absence that extends for more than thirty (30) days, the employee may continue any current medical, dental or vision plan through COBRA for the duration of the military leave or for twenty-four (24) months from the beginning date of leave, whichever is the lesser.

403(b) Contributions – Retirement contributions will be suspended until the employee has returned to full-time Franklin Pierce employment.

Paid Time Off – For the duration of the military leave, employees do not accrue vacation or sick leave. Accruals will restart once the employee has returned to full-time employment and in accordance with the University's [Vacation Policy](#).

Tuition Remission and Tuition Wavier (for dependents) - Any tuition benefit waiver or remission that is in place at the time of the military leave of absence for the employee's



dependents will continue for the duration of the leave period. This benefit will cease if the employee does not return to the University in a timely manner once the military leave has ended.

Other Benefits –

Flexible Spending Accounts – All FSA employee deductions will cease while the employee is on military leave. The employee may elect to continue to elect pre-tax flexible spending money through COBRA.

Seniority – Upon return to full-time employment, the employee will retain all seniority rights and benefits as was in place prior to the military leave as well as any seniority rights and benefits that the employee would have been entitled to if not for the interruption of employment due to military service.

Group Life Insurance – The University provided Group Term Life and AD&D insurance will be suspended while the employee is on leave. Any claim is not payable during the employee’s military absence.

Long Term Disability – The University provided Long Term Disability will be suspended while the employee is on leave and reinstated upon the return to full-time employment at the University.

Reemployment:

On completion of military service, an employee will be reinstated to Franklin Pierce University in accordance with Federal and State laws. An employee must request reemployment by notifying Human Resources in writing in a timely fashion, as listed in the table below. The employee must also provide Human Resources a copy of the duty orders indicating the period of service is ended or documents of honorable service, such as the Certificate of Release or Discharge from Active Duty.

Period of Service	Employee Action	When Action Must be Taken
1-30 days	Notify Human Resources of intent to return. Report to work.	On the next regularly scheduled day of work for the employee after the service is ended; plus travel time to return to residence and 8 hours of rest. – OR – Report on the next normally scheduled full-day of work after service is ended.
31-180 days	Written notification to Human Resources of intent to return to work.	Notification must be given within 14 calendar days of completion of service
181+ days	Submit a request to Human Resources for reemployment at University.	Notification must be given within 90 days of completion of service

¹ Definition as defined by the Employer Support of the Guard and Reserve (ESGR), a Department of Defense office. <http://www.esgr.mil/USERRA/Frequently-Asked-Questions.aspx>