

Military Service Leave

Introduction:

Suffolk University values the contributions employees make to our country by their service in the uniformed services. Therefore, Suffolk University's Military Service Leave policy not only complies with the rights afforded employees under the Uniformed Services Employment and Reemployment Rights Act (USERRA), but far exceeds them.

Eligibility:

You are eligible for Military Service Leave if you are absent from work because of service in the uniformed services.

Eligible uniformed service leave includes service in the following branches of the U.S. military:

- Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard), including the Reserves;
- National Guard, including the Army National Guard and Air National Guard;
- Commissioned corps of the Public Health Service; or
- Any other category of persons designated by the President in time of war or national emergency.

Employees who are time-limited or intermittent/seasonal workers are not eligible to the benefits under this policy.

Policy:

If you are an eligible employee in the uniformed services you may take leave under this policy for the following types of military service:

- Active duty;
- Active duty for training;
- Initial active duty for training;
- Inactive duty training;
- Full-time National Guard duty;
- Submitting to an examination to determine your fitness for any of these services;
- Funeral honors duty performed by the National Guard or Reserve members; or
- Service as an intermittent disaster response appointee of the National Disaster Medical System when you are:
 - Activated under federal authority; or
 - Attending authorized training in support of a federal mission.

The University will supplement your military pay, if it is less than your University pay, for the first six (6) weeks of your military service during each twelve (12) month calendar year. If your service continues beyond six (6) weeks, you may elect to use accrued vacation time to supplement your military pay.

You may be reinstated to your position after military service provided the cumulative length of your service has not exceeded five (5) years. However, the University reserves the right to not reinstate you in the following circumstances:

- If the University's circumstances have changed so as to make reinstatement impossible or unreasonable; or
- If it would impose an undue hardship on the University.

You may choose to continue health insurance coverage for you and your dependents for up to twenty-four (24) months while engaged in military service. If you are in a paid status while on leave, your health insurance payments will be deducted automatically. If you are in an unpaid status during your leave, the University will coordinate how you will make payments in order for you to have continued health insurance coverage.

Benefit accruals, such as vacation or health absence, will be suspended during your leave and will resume upon your return to active employment.

Procedures:

If you are a member of the uniformed services and need to take Military Service Leave, you should provide advance notice to your supervisor and the Human Resources Office. When possible, you should give at least thirty (30) days' notice of your request for leave. If thirty (30) days' notice is not possible because of military necessity or for other reasons, you should provide as much notice as possible.

Reinstatement:

You may be eligible for reinstatement to your former position or one of like seniority, status and pay after your Military Service Leave. If you wish to return to work after your leave, you must report to work, or submit a notice of your intent to return, to the Human Resources Office (HR) as follows:

Military Service of 1 to 30 days or Absence for a Fitness for Duty Exam:

You must report to work by the beginning of the first regularly scheduled workday following the completion of your military service, after allowance for safe travel from your place of service to your home, and after an eight (8) hour rest period. If reporting back to work within this period is impossible or unreasonable through no fault of your own, you must report to work as soon as possible.

Military Service of 31 to 180 days:

You must submit a notice of your intent to return to work to HR not later than fourteen (14) days after completion of your period of military service. If submitting a notice within this period is impossible or unreasonable through no fault of your own, you must submit a notice of intent to return as soon as possible.

Military Service of 181 or more days:

You must submit a notice of intent to return to work to HR not later than ninety (90) days after completion of your period of military service.

If you are recovering from an illness or injury incurred from, or aggravated during, the performance of your military service, and your period of service was thirty (30) days or less, you may report to work after the period of time necessary to recover from your injury or illness. If you are recovering from an illness or injury from your military service and your period of service was thirty-one (31) days or greater, you may submit a notice of intent to return to work after your recovery. Your period of recovery generally may not exceed two (2) years.

If you are submitting a notice of intent to return to your job, at the University's request, you may also be asked to submit documentation to establish that:

- Your application is timely;
- You have not exceeded the service limitation of five (5) years; and
- Your entitlement to benefits under USERRA have not been terminated based on a dishonorable or bad conduct discharge, nor a dismissal or dropping from the rolls by a court-martial sentence.

If you need to request a leave of absence for any reason use this three-step process:

1. Contact the Human Resources Benefits/Leaves Specialist to learn about the leave process and how it impacts pay and benefits.
2. Contact The Standard to initiate the leave at (866)-756-8116.
3. Notify your Manager/Department Chair of your application for a leave.