



# Unified Government Human Resources Guide

Effective 04-01-05

## MILITARY LEAVE

- I. General: Employees who serve in the uniformed services of the United States will be granted a military leave of absence for a period of up to five years, pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994.
  
- II. Policy
  - A. This policy covers all employees who perform and return from both voluntary and involuntary service in the Armed Forces, Military Reserve, National Guard, and certain Public Health Services, or any other similar military personnel covered under USERRA.
  - B. Requests for Military Leave should be in writing to the employee's immediate supervisor. The employee may submit a copy of the official orders within a 30 days period of the beginning of the leave.
  - C. Military Leave shall be unpaid unless the employee chooses to utilize accumulated vacation or compensatory leave.
  - D. Seniority and benefits based on seniority such as vacation, sick leave, and retirement shall continue to accrue during the period of military leave.

Under Kansas law, service credit is granted for up to five years of active military duty, if the time served is "immediately preceded" by employment
  - E. The employee may elect to continue health and dental care coverage for himself and his dependents during military leave.
    1. Coverage ends after 24 months, or on the date the employee fails to return or apply for return to employment as required under USERRA.
    2. The employee's insurance premium obligation will be at the current rate for employee participation during the initial 31 days of military leave.
    3. Employees on Military Leave exceeding 31 days will be required to pay 102% of the full premium pursuant to the procedure established by Human Resources.
  - F. Veterans who satisfactorily complete service in the uniformed services will be restored to their previous position according to guidelines established under USERRA.
    1. As required under USERRA, upon completion of the period of military service, the returning veteran must notify Human Resources that he/she intends to return to work.
    2. An employee who is reemployed under this policy is entitled to the seniority and other rights and benefits determined by seniority that he/she had on the date his uniformed service began. The employee is also entitled to any additional seniority and rights and benefits he/she would have had if he/she had remained continuously employed.



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- G. A veteran reemployed under this policy shall not be discharged from employment, except for cause:
1. within one year after the date of reemployment, if the employee's period of military service before reemployment was more than 180 days, or
  2. within 180 days after the date of such reemployment if the employee's period of military service before reemployment was more than 30 days but less than 181 days.
- H. Wherever appropriate, employee loans or other extensions of credit shall be governed under the Servicemembers Civil Relief Act of 2003.

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