



# University of North Alabama

## Employee Policy Manual and Handbook

### Military Leave

The University will comply with the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable Alabama laws pertaining to military leave. As laws or as interpretations thereof change, military leave benefits for university employees may change accordingly. No attempt is made by this policy to cover all possible situations and circumstances that may arise when an employee is ordered to active duty. Therefore, as military leave situations arise, employees should consult with their supervisor and/or the Office of Human Resources for current and complete details regarding their military leave rights as a university employee and any continuation of benefits issues.

In accordance with USERRA and Ala. Code § 31-12-2 (2002), university employees who perform service in the uniformed services (as defined by USERRA) are entitled to a military leave of absence from their university positions, subject to the limitations and restrictions set forth in federal and state laws and in university policy. Upon receiving an assignment for military service, employees should promptly provide notice to their supervisors and the Office of Human Resources prior to going on military duty, unless precluded by military necessity.

Except as provided below, eligible university employees on duty with the uniformed services (as those terms are defined by USERRA) will be placed on unpaid military leave status for all days engaged in such service. Affected employees are not required to use annual leave in lieu of paid or unpaid military leave; however, they may elect to use accrued annual leave or earned comp time at their discretion.

- University employees eligible for Military Leave who are active members of the Alabama National Guard or of any other reserve component of the Armed Forces of the United States will receive, pursuant to Ala. Code § 31-2-13 (1995), up to 21 days (168 hours) of paid military leave per calendar year for performance of federal military duty. This military service includes drills, annual training, or military schools. It is not necessary for employees who are on military leave to return to work for the University in order to receive 168 hours of paid military leave for the calendar year subsequent to being placed on military leave. Once the 168 hours of paid military leave is exhausted, an employee may use other leave available, such as annual leave or earned compensatory time.
- In addition to the 168 hours per calendar year mentioned above, if these particular employees are called into active service of the State of Alabama by the Governor (typically in times of natural disaster), they will receive, pursuant to Ala. Code § 31-2-13 (1995), an additional 168 hours of paid military leave at any one time while called by the Governor to duty in the active service of the state.

If the military base pay of an employee called into active service for the war on terrorism is less than the salary he/she would have continued to receive if not called to active service, he/she may receive a salary differential (pursuant to Ala. Code § 31-12-5 (2002)) that is equal to the difference between the lower active duty military base pay and the higher public salary.

*Approved by the Executive Council, 08/22/2011*