

UNIVERSITY POLICY

Policy Name:	Military Leave - Staff				
Section #:	60.1.21	Section Title:	Human Resources (HR): Universitywide HR Policies & Procedures	Formerly Book:	3.6.14; Formerly Policy: 60.3.13
Approval Authority:	Senior Vice President for Human Resources and Organizational Effectiveness		Adopted:	03/15/1962	Reviewed: 01/31/2020
Responsible Executive:	Senior Vice President for Human Resources and Organizational Effectiveness		Revised:	10/19/2001; 08/02/2006; (Updated titles) 09/2009; 07/01/2013; 10/10/2013 (Updated title); 05/07/2014 (Ill.A., Differential pay); 01/31/2020	
Responsible Office:	University Human Resources		Contact:	policies@hr.rutgers.edu	

1. Policy Statement

The University provides time off for eligible staff members for military leave.

2. Reason for Policy

To inform eligible staff members of the terms and requirements for taking time off for military leave.

3. Who Should Read This Policy

All members of the Rutgers University community.

4. Resources

Collective Negotiations Agreements: <http://uhr.rutgers.edu/>

Uniform Services Employment and Reemployment Rights Act (USERRA)

5. Definitions

N/A

6. The Policy

I. Military Leave for Active Duty Training Purposes: Any full-time regularly appointed staff member who is a member of a military reserve component of the Armed Forces of the United States (including the National Guard) shall be entitled to a leave of absence with pay for the usual prescribed training period not to exceed fifteen (15) days per year.

A. Such leaves shall not be charged against vacation time but to military leave (ML).

B. Employee should give his or her supervisor two (2) weeks advance notice of such leave

and must present to the supervisor a copy of the official government orders authorizing military training immediately upon receipt of such orders.

- II. Military Leave for Inactive Duty Training: Upon receipt of appropriate orders, employees will be excused for Inactive Duty Training and may use accrued vacation, administrative leave, or compensatory time or they may elect unpaid leave. Employees are not required to make up leave time for Inactive Duty Training.
- III. Military Leave for Active Duty: Any full-time employee who has been employed at Rutgers for one year or more who is a member of the military shall be entitled to a leave of absence with pay on all days during which he or she is engaged in any period of State or Federal active duty not to exceed ninety (90) work days in the aggregate in any calendar year.
 - A. After such paid leave the employee may be entitled to differential pay where: (i) the employee has been involuntarily activated to military duty for a military action or campaign covered by a State of New Jersey Executive Order; and (ii) the employee's military monthly rate of pay is less than his/her regular Rutgers' monthly salary. Any questions regarding whether an employee is eligible for differential pay under this policy shall be resolved based on whether the military duty would qualify for differential pay under the State of New Jersey's differential pay policy.
 - B. Any leave of absence for such duty for a full-time employee who has been an employee for less than one year shall be without pay but without loss of time.

Employees covered by collective negotiations agreements should consult their respective agreements regarding Military Leave.

- IV. Reemployment by Rutgers: Such employees shall be entitled to reemployment by Rutgers to their position, if it exists, or to a similar position, if one exists, providing that such absence does not exceed five years and application is made within ninety (90) calendar days immediately following separation from military service.
 - A. In the case where a military service-connected disability prevents the employee from returning to work within the time prescribed by law for applying for reemployment, the employee may request that the leave be extended. Upon submitting sufficient medical evidence to the employee's supervisor, a six (6) month leave extension may be granted in accordance with such extensions as set forth in the Uniform Services Employment and Reemployment Rights Act (USERRA). The total of such extension shall not exceed twenty-four (24) months from the date of separation from the military except where required by law.
 - B. Upon reemployment, the returning veteran employee's salary shall be adjusted to reflect any normal increments or general adjustments the employee would have received had the employee continued to work for Rutgers.
 - C. Sick and vacation leave days will not accrue during the (unpaid) military service but the time will count as University Service in applying sick leave or vacation time accrual rates upon return to University service.
- V. General: Nothing in this policy shall require the University to reemploy individuals who are not eligible for reemployment rights mandated by federal or state law. Rutgers, nonetheless, will consider the appropriateness of reemploying such individuals on an individual basis.
 - A. Always refer to the appropriate collective negotiations agreements for any variations or additional details in the above policy.
 - B. University Human Resources should be consulted upon notice that an employee is returning from military service and needs to be reemployed.