

REVISED POLICY – VOL. 25, NO. 2

MILITARY SERVICE

The School Board recognizes that military service by administrative staff members is a service benefiting the entire school community and the Board is committed to supporting this service by providing military leave to eligible administrative staff members. The Board reserves the right to establish conditions for leaves of absence for military service and reemployment in compliance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), as amended, and Indiana law.

As used in this policy, "military service" means the performance of duty on a voluntary or involuntary basis in a uniformed service of the United States, including:

- A. Federal active duty including Reserve and Guard members who have been called up;
- B. Federal active duty for training;
- C. initial Federal active duty for training;
- D. inactive duty drills and annual training;
- E. State active duty for the Indiana National Guard;
- F. absence from work for an examination to determine a person's fitness for Federal or State duty; and
- G. funeral honors duty.

An administrative staff member on leave for military service shall receive compensation in accordance with applicable law during the period of leave and shall continue to accrue seniority subject to any applicable collectively bargained agreement during the period of leave for military service. ~~Staff~~ **Administrative staff** members on leave for military service are entitled to continued health insurance coverage as if they were not on leave during absences for drills and absences for annual training. During leave for drills and annual training of not more than fifteen (15) consecutive or non-consecutive days per calendar year the **administrative** staff member shall be entitled **to continue to receive their pay from the School Corporation and retain their military pay.**~~to:~~

- ~~(→) continue to receive their pay from the School Corporation and retain their military pay.~~
- ~~(→) be paid the difference between their military pay and School Corporation pay by the School Corporation.~~
- ~~(→) receive their regular School Corporation pay if they sign their pay for the military service over to the School Corporation.~~

For other absences for military service, ~~a~~ **an administrative** staff member may elect to continue health insurance coverage for the **administrative** staff member and dependents under the following conditions. For periods of up to thirty (30) days of military training or service, the **administrative** staff member shall be required to pay only the normal **administrative** staff ~~member~~ **member's** share of the premium for this continued coverage. For longer periods of military service, the **administrative** staff member shall have the option to continue health insurance coverage by paying 102% ~~percent~~ of the full employer and employee premium. If the **administrative** staff member elects to take this coverage, the right to that coverage ends on the earlier of the day after the deadline for the **administrative** staff member to apply for reemployment or twenty-four (24) months after the absence for military leave began. An administrative staff member on leave for military service is entitled to all additional rights provided to administrative staff members for non-military leaves of absence.

An administrative staff member's right to re-employment under USERRA is subject to a cumulative five (5) year total for all federal active duty except where the **administrative** staff member's military obligation is involuntarily extended. Annual

BOARD OF SCHOOL TRUSTEES
_____ **CAREER CENTER**

ADMINISTRATION
1537/page 3 of 3

Where an administrative staff member has options as to when to take military leave, the **administrative** staff member shall make every effort to schedule the leave to minimize the absence from their duties for the Career Center. Administrative staff members shall include a copy of any applicable military orders in their application for leave for military service. The **administrative** staff member shall submit notice of the need for this leave to the Director or a designee as soon as the **administrative** staff member learns of the need for the leave unless giving advance notice is impossible, unreasonable, or precluded by military necessity as determined by the Department of Defense.

Credit for periods of leave for military service by administrative staff members for purposes of the Public Employees' Retirement Fund shall be governed by the statutes applicable to that retirement fund and the rules adopted by the Fund. See Ind. Code 5-10.4-4-8(b).

I.C. 10-16-7

I.C. 10-17-4

USERRA, 38 U.S.C. 4301 et seq.

© NEOLA 2013