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Policy Name: Employee Uniformed Services Military Activation & Leave

Policy Number: I-8

Functional Area(s) Responsible: Human Resources

Owner(s) of Policy: Human Resources

Most Recent BOT Approval Date: March 2011

Most Recent Review Date: Spring 2024

Most Recent Review/Revision Type: ☐ none ☐ minor/non-substantive ☒ substantive/extensive

Policy Statement:

Finger Lakes Community College (FLCC) is committed to supporting employees who serve in the uniformed services. This policy outlines the rights and benefits of employees who are called to active duty or other military service, in accordance with Military Law and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Reason(s) for Policy:

To ensure compliance with Military Law and USERRA, and to provide clear guidelines for employees and supervisors regarding military leave and reemployment rights.

Applicability of Policy:

This policy applies to all FLCC employees who are members of the uniformed services, including the National Guard and Reserves.

Definitions:

Uniformed Services: Includes the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or national emergency.

Military Leave: Leave granted to employees who are called to active duty or other military service.

Related Documents:

Military Law

The Uniformed Services Employment and Reemployment Rights Act

Procedures:

Notification and Documentation

Employees must provide advance written or verbal notice of their military service to Human Resources, unless precluded by military necessity. Employees must provide a copy of their military orders as soon as practicable.

Leave Entitlement

Employees are entitled to military leave for the duration of their service, up to a cumulative total of five years. During the first 30 calendar days or 22 working days of military leave in a calendar year, employees will receive a supplemental salary (the difference between their military pay and their regular College salary) unless or until such

time as their military pay equals or exceeds their normal College salary. After the initial paid leave period, employees may use accrued vacation or personal leave, or take unpaid leave for the duration of their military service.

Health Benefits

Employees may elect to continue their health plan coverage for up to 24 months while on military leave. If coverage is discontinued, it will be reinstated upon reemployment.

Reemployment Rights

Upon completion of military service, employees have the right to be reemployed in their previous position or a position of similar seniority, status, and pay, provided they meet the eligibility criteria under USERRA. Employees must notify FLCC of their intent to return to work within the timeframes specified by USERRA.

Protection from Discrimination and Retaliation

FLCC prohibits discrimination and retaliation against employees who are members of the uniformed services, applicants to the uniformed services, or those who have obligations as members of the uniformed services.

Forms/Online Processes:

None

Appendix:

None