

# University of Arkansas at Pine Bluff

## Faculty/Staff Handbook

### Policy: **MILITARY LEAVE**

#### Policy #: **9.5**

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If you are a member of the National Guard or of any of the Reserve branches of the Armed Forces of the United States, and are a full-time appointed twelve-month employee, you will be granted fifteen working days of leave, plus any necessary travel time, each year for training. Military leave for annual training or other official duties is granted without any loss of pay, and is in addition to your regular annual leave.

If you are a full-time appointed employee and are drafted or called to active duty in the Armed Forces of the United States or if you volunteer for military service, you will be placed on extended military leave without pay. Any unused sick leave that you have accumulated before you go on extended military leave will be reinstated when you return. All of your unused annual leave will be reinstated when you return, unless you request and receive a lump-sum payment for the accrued, unused annual leave when you go on extended military leave.

However, if you were called to active duty after September 11, 2001, as a member of the National Guard or any of the reserve components of the armed forces by order of the President or the Governor for an emergency or contingency of more than 30 consecutive days, you are entitled to continued salary payments that when combined with your active duty pay, incentives, and allowances, except uniform and clothing allowances, equal the amount that you would otherwise have received but for your required active duty. You must be a current active employee in order to receive such payments, unless your termination was the result of a disability incurred when on active duty. The payment will be made as a one-time lump sum payment and no retirement contribution will be made on the pay. You must present a Leave and Earning Statement showing military pay or Form DD214 showing active duty dates.

If you volunteer or are ordered to active duty for the purposes of specialized training, you will be placed on leave without pay for the period of the training unless you elect to use your accrued annual leave. Leave for specialized training is in addition to your annual military training leave. You will retain your eligibility rights, including your accumulated annual leave, unless you choose to use your annual leave for the specialized training period. You will also retain any accumulated sick leave that you have before you begin the specialized training. Although you will not accumulate annual leave or sick leave during the leave without pay, your annual leave accrual rate will be calculated as though you had not been absent.

You will be granted military leave with pay for up to thirty working days if you are called to active duty in an emergency by the Governor or the President. If the emergency extends beyond thirty days, you may use annual leave and, if necessary, leave without pay. The emergency military leave is in addition to annual military leave for training.

You must make requests for military leave in writing, and you must attach a copy of your military orders to each request for military leave.

For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status you are eligible for Family Medical Leave. An eligible employee may take up to 26 workweeks of leave during a “single 12-month period” to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent or next of kin of the service member. The “single 12-month period” for military caregiver leave is different from the 12-month used for other FMLA leave reasons.

When you are released from active duty for military service or for specialized training, you will be reinstated to your former position or to a position with comparable pay and benefits, provided you apply for reinstatement within ninety days of your release from active duty. If you extend your enlistment or re-enlist for additional military service beyond your initial enlistment period for more than four years, or five years when your re-enlistment was at the request of the military, you will lose all reinstatement rights, and will be treated as a rehire.

If you incur a military service-related disability and are scheduled by the U.S. Department of Veterans Affairs to be reexamined or treated for the disability, you are entitled to paid leave of up to six days during any calendar year for reexamination or treatment.

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**Resource(s):**

**Approved by:**

**Approval date:**

**Custodian:** Human Resources