



SAINT LOUIS
UNIVERSITY

Saint Louis University

MILITARY LEAVE POLICY

Procedure Number:

Version Number: 3

Classification:

Effective Date: 8/10/12

Responsible University Office: Vice President Human Resources

1.0 INTRODUCTION

Saint Louis University honors and respects the rights and obligation of its employees to serve in the Armed Forces of the United States.

2.0 PURPOSE

This policy sets forth guidelines relating to compensation/benefits/leave and reinstatement of employment for EES who require time off work due to military service.

3.0 PERSONNEL AFFECTED

This policy applies to all faculty and staff of Saint Louis University with the exception of employees in a collective bargaining unit or employees of the Madrid campus.

4.0 DEFINITIONS

Military Service: Service in the uniformed services covers all categories of military training and service, including duty performed on a voluntary or involuntary basis, in time of peace or war. It includes, but is not limited to: Active Duty, Active Duty for Training, Initial Act of Duty for Training, Inactive Duty Training, full time National Guard duty, and absence from work to determine fitness for any of the above types of duty.

Armed Forces: Uniformed services means 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. For purposes of USERRA coverage only, service as an intermittent disaster response appointee of the NDMS (National Disaster Medical System) when federally activated or attending authorized training in support of their Federal mission is deemed "service in the uniformed services," although such appointee is not a member of the "uniformed services" as defined by USERRA.

5.0 POLICY

The University provides up to ten (10) days of paid leave and a leave of absence for its employees to serve in the Armed Forces in accordance with the Uniformed Services Employment and Re-employment Rights Act (USERRA), and applicable state law.. Leaves of absence and re-employment rights are provided by Saint Louis University based on these laws. Saint Louis University will not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

6.0 RESPONSIBILITIES

Employees are responsible for seeking and submitting supporting documentation. Managers must accurately report time and coordinate administration of this policy along with the Human Resources Department.

7.0 PROCEDURES

7.1 Re-Employment

Saint Louis University will offer re-employment opportunities to employees who voluntarily or involuntarily leave employment positions with Saint Louis University to undertake military service. The employee will be provided the opportunity to be re-employed in the same position previously held or, in some instances, a similar position, and will re-instate the employee's benefits following qualified military leave if the following conditions are met:

7.1.1 The employee provides advance, written or verbal notice of pending military service to the employee's supervisor or the Department of Human Resources, unless military necessity prevents the giving of notice or notice is otherwise impossible or unreasonable.

Note: The employee is not required to ask for or get his or her employer's permission to leave to perform military service. The employee is only required to give the employer notice of pending service.

7.1.2 The employee returns to work or applies for reemployment in a timely manner after conclusion of service and provides adequate documentation showing eligibility to return to work;

7.1.2.1 For Military Service of 30 days or less - the employee must report back to work within 48 hours after the employee returns home from the place of military service. If, due to no fault of the employee, timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible.

7.1.2.2 For Military service of more than 30 up to 180 days - the employee must contact Human Resources to determine if their previous position is still available

within 14 days after military service is completed. If the position is no longer available, the University will provide assistance with re-employment opportunities.

7.1.2.3 For Military service of more than 180 days - the employee must contact Human Resources for assistance with re-employment opportunities no later than 90 days after Military Service is completed.

7.1.2.4 Failure to follow these guidelines for reporting to duty in a timely manner following military service may result in loss of eligibility for re-hire.

7.1.2 The employee may perform military service for a cumulative period of up to five (5) years and retain reemployment rights with the employer. The five-year period includes only the time the employee spends actually performing military service.

7.1.3 The employee's separation from military service was under honorable conditions.

7.1.4 The University may not be able to reemploy a person if its circumstances have changed so as to make such reemployment impossible or unreasonable.

7.1.5 The reporting or application deadlines will be extended up to two years for employees who are hospitalized or recovering from a service-connected illness or injury. This period can be extended to accommodate circumstances beyond an employee's control.

7.1.6 The University will make reasonable efforts to accommodate an employee's disability so that the employee can be reemployed consistent with the requirements under the USERRA unless such accommodation will cause undue hardship.

7.2 Compensation and Benefits

7.2.1 The University will pay a qualified employee up to ten (10) days of paid military leave in a fiscal year period, and the employee will only be paid for days which the employee would have otherwise been scheduled to work. 10 days of paid military leave.

7.2.2 Exempt employees who work any hours in a week that they take military leave

7.2.3 Employees may request to use accrued vacation during military leave, but are not required to do so.

7.2.4 Employees who qualify under this policy will accumulate seniority for the period of their military service and will retain previously accumulated benefits, subject to rules and regulations that might be imposed in those plans underwritten by insurance companies.

7.2.5 Employees who elect to maintain health care insurance for themselves and/or their families while on military leave must contact the Benefits department to make arrangements for coverage during their leave. Said coverage is subject to the following:

7.2.5.1 The University will continue its contributions towards the cost of employee health care insurance benefits according to the employee's current benefit plan;

7.2.5.2 For the first 31 days of leave, the employee must pay the employee contribution cost of health care insurance premiums;

7.2.5.3 Employees performing military service of 31 days or more must pay the employee and employer contribution costs of health care insurance premiums (up to 102% of costs); and

7.2.5.4 Coverage under the University program will be available for up to 24 months from the date military leave began, or the day after the date on which the employee fails to apply for or return to a position of employment.

7.2.6 If the employee resumes employment with the University following military leave, the employee will be eligible for any general increases in pay, or any approved benefits that occur during their absence.

7.2.7 An employee who is performing military service may elect to make employee contributions or elective deferrals to the University's retirement plan, to the extent allowed by law. The amount may not exceed the amount the employee would have been permitted or required to contribute had he or she remained continuously employed during the period of military service. The employee contribution to the University's retirement plan must be paid either during the period of military service or upon reemployment.

7.2.8 The FMLA allows 12 weeks of qualifying exigency leave. The FMLA also allows up to 26 weeks of unpaid leave during any single 12 month period for an employee to care for a covered family member who is a military service member recovering from injury or illness. (See Family and Medical Leave Act Policy)

8.0 REFERENCES

Family and Medical Leave Act Policy

Unpaid Leave

Add from FMLA:

FMLA allows qualifying exigencies

On active military duty. Additionally, the FMLA allows up to 26 weeks of unpaid leave during any single 12 month period for an employee to care for a covered family member who is a military service member recovering from an injury or illness.