

Baker School District 5J

Code: **GCBDE/GDBDE**
Adopted: 9/10/02
Orig. Code(s): GCBDE/GDBDE

Military Leave of Absence

The district will grant military leave to employees on duty¹ with a uniformed service² in accordance with applicable state and federal law. Employees requesting military leave are required to provide written notice as soon as practicable following notification of military call up or reservist duty, unless precluded by military necessity.

Military leave exceeding 15 days is unpaid leave. Employees may use any accrued vacation or similar leave during the period of service exceeding 15 days.

END OF POLICY

Legal Reference(s):

[ORS 332.505](#)

[ORS 408.290](#)

Consolidated Omnibus Budget Reconciliation Act of 1985, 42 U.S.C. §§ 300bb-1 - 300bb-8 (2006).

I.R.C. § 4980B(f)(4) (2006).

Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (2006).

¹“Duty” means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty and absence to determine fitness for duty.

²“Uniformed service” means the Armed Forces, the National Guard, the commissioned corps of the Public Health Service and any other category of persons designated by the President in time or war or national emergency.