

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.

Bargaining unit members who voluntarily or involuntarily enter the Armed Services shall be granted a leave of absence without pay.

Bargaining unit members who are members of the National Guard, National Guard Reserve, or any reserve component of the Armed Forces shall, upon written request, be granted up to but not exceeding fifteen (15) days in any one (1) calendar year for official training duty. If the bargaining unit member has been employed for a period of six (6) months prior to his/her request for leave, he/she shall be entitled to receive pay for any period while he/she is on military leave. The District will provide the cost of medical group insurance at District expense for military leave (temporary).

An employee on duty with a uniformed service is entitled to reemployment for a maximum of five years, unless retained on active duty because of war or national emergency. An individual returning from military leave shall notify the district of his/her intent to return as follows:

1. Employees who are veterans and reservists returning from training must only inform the district of their training obligations and report back at the next regularly scheduled working period.
2. Employees returning from active duty must notify the district of their intention to return to their former jobs within 90 days of release from duty.

An individual reemployed under this policy is entitled to the seniority and other currently existing rights and benefits the individual had when service started, plus the additional seniority and similar rights and benefits that would have been accrued if employment had been continuous.

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 of war or national emergency.

This policy does not apply if the employee has been separated from service with a dishonorable or bad conduct discharge or under other than honorable conditions.

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).