MILILTARY LEAVE

The College recognizes that employees may need to be absent from work to serve in the US military. The College provides military service leaves of absence to all regular full-time, part-time, and probationary employees in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws.

Procedures

If you need to take military service leave, you or an authorized military service officer should provide advance notice to your supervisor or the Human Resources Office. When possible, you should give at least 30 days' notice of your request for leave. If 30 days' notice is not possible because of military necessity or for other reasons, you should give as much advance notice to the College as possible.

Written notice is preferred, but not required. Where possible, please submit a copy of your military orders, training notice, or order to active duty to your supervisor or the Human Resources Office.

Eligibility Requirements

Eligible Employees. All regular full-time, part-time, and probationary employees are eligible for military service leave if they are absent from work because of eligible military service. Independent contractors and employees who were only employed for a brief, non-recurrent (one-time only) period before the start of military service are not eligible for leave under this policy.

Eligible Military Service. For purposes of this policy, eligible military service means certain types of service (listed below) in the following branches of the US military:

- Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard), including the Reserves.
- National Guard, including the Army National Guard and Air National Guard, when the employee is engaged under federal authority in active duty for training, inactive duty training, or full-time National Guard duty.
- Commissioned corps of the Public Health Service.
- Any other category of persons designated by the President in time of war or national emergency.

Eligible employees may take leave under this policy for the following types of military service:

- Active duty.
- Active duty for training.
- Initial active duty for training.
- Inactive duty training.

- Full-time National Guard duty.
- Submitting to an examination to determine your fitness for any of these services.
- Funeral honors duty performed by National Guard or Reserve members.
- Duty performed by intermittent disaster response personnel for the Public Health Service and approved training to prepare for this service.
- Service as an intermittent disaster response appointee of the National Disaster Medical System when employees are:
    - activated under federal authority; or
    - attending authorized training in support of a federal mission.

Compensation During Leave

Military service leave is unpaid. However, employees may use any or all of their accrued but unused annual leave during their military service leave.

During military service leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. For all other non-seniority benefits, an employee on military service leave will receive the same rights and benefits as employees on an unpaid leave of absence.

Reemployment

Employees may be eligible for reemployment after their military service leave. Any employees who would like to return to work must report to work or submit an application for reemployment to the Human Resources Office, including their military discharge documentation, if available, as follows:

- If their military service was for less than 31 days, they must report to work on the first regularly scheduled workday that is at least eight hours after they return home from military service.
- If their military service was for 31 to 180 days, they must apply for reemployment within 14 days following completion of military service.
- If their military service was for more than 180 days, they must apply for reemployment within 90 days following completion of military service.
- If they suffered a service-connected injury or illness and they are hospitalized or convalescing, they have up to two years following completion of military service to return to their jobs or apply for reemployment, depending on the length of recovery time required.

If any employees are unable to comply with this reporting schedule through no fault of their own or if they are injured or recovering from an injury and need an accommodation for specific

circumstances beyond their control, they should speak with the Human Resources Office as soon as possible to determine if they are eligible for a reasonable accommodation or additional time to apply for reemployment. Employees who do not report to work or apply for reemployment within the applicable timeframe will be subject to the College's rules about unexcused absences.

Nothing in this policy requires the College to reemploy individuals who are not eligible for reemployment rights under applicable law.

Seniority Rights After Reemployment

Employees who are eligible for reemployment will be reemployed with the same seniority, and all rights and benefits based on that seniority, that they would have attained if they had not taken military leave. Seniority rights include pay and benefits that accrue or are determined based on their length of service.

Discrimination and Retaliation Prohibited

The College prohibits and will not tolerate discrimination or retaliation against any employee or applicant because of that person's membership in or obligation to perform service for any branch of the US military. Specifically, no one will be denied employment, reemployment, promotion, or any other benefit of employment, or be subjected to any adverse employment action based on that person's membership in or service for any branch of the US military. In addition, no one will be disciplined, intimidated, or otherwise retaliated against because that person exercised rights under this policy or applicable law.

The College is committed to enforcing this policy against discrimination and retaliation. However, the effectiveness of our efforts depends largely on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately. If employees do not report such conduct, the College may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.