

Personnel – Certified/Non-Certified

Military Leave

1. Any employee of the Stafford Board of Education who is a duly qualified member of the Reserve or National Guard components of the Armed Forces will receive, in addition to his/her normal vacation if applicable, a leave of absence with pay not to exceed 15 consecutive calendar days in any one calendar year in order to receive annual military field training in such reserve corps under the following conditions:
 - a. He/she shall give evidence defining the date of departure and date of return for purposes of military training 30 days prior to the date of departure.
 - b. He/she shall give evidence of satisfactory completion of such training immediately upon his/her return.
2. Any employee of the Stafford Board of Education who is ordered to service in the uniformed services of the United States shall, upon timely advance notice, be granted a specific leave of absence. The Board will pay said employee's salary for one month*. The remainder of the leave will be without pay, unless the employee requests to use any vacation that had accrued before the beginning of his/her military service instead of unpaid leave. The timeframe for an individual to report or return back to work will be based upon the length of the employee's military service, as provided under Federal law and regulations.
3. Following discharge, each person desiring reinstatement shall so notify the Board in writing and according to the time frame based on their length of military service, as provided under Federal law and regulations.
4. The returning employee shall be promptly reemployed to his/her former position, or to the position he/she would have attained had he/she not been absent for military service. If necessary, such employee shall receive training or retraining that enables him/her to refresh or upgrade skills to qualify for reemployment. If a qualified employee applies for reinstatement and has a service-related disability, reasonable accommodations will be made.
5. All employees on military leave shall be given the benefit of any increments, benefits and status which would have been credited to them had they remained in active service with the Stafford Public Schools, including uninterrupted seniority.
6. The Board reserves the right to extend a leave to those remaining in military service beyond the compulsory service period.
7. Stafford Board of Education employees called to active duty for 31 days or more may maintain their insurance benefits and those for their dependents during their absence at their own expense for 24 months.
8. The Board recognizes that for strategic and security reasons, upon receipt of military orders, the employee may be required to leave immediately before granting due notice to the Board.

9. The Board shall provide protection from discharge except for cause upon reinstatement from military service for a period of time depending on the length of such service.

10. The Board shall post a notice to persons entitled to rights and benefits under the Uniformed Services Employment Reemployment Rights Act (USERRA).

* The number of working days within the 30 day calendar period commencing with the first day of the leave.

Legal Reference: The Uniformed Services Employment Reemployment Rights Act (USERRA, 1994 as amended)

Veterans Benefits Improvement Act of 2004, P.L. 108-454 §201, 203
20 CFR Part 1002, Notice of Rights and Duties Under the Uniformed Services
Employment and Reemployment Rights Act; Interim Final Rule

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