

Policy GBRID: Military Leave

Status: DRAFT

Original Adopted Date: Pending

School district employees are entitled to a leave of absence from their respective duties when ordered to military duty. If ordered to military duty, district employees will be paid for time not to exceed 15 days in one calendar year. The Jackson County School District (JCSD) intends to fully comply with all federal and state laws. Therefore, the annual leave and efficiency rating of these employees will not be affected by military leave.

The Jackson County School District (JCSD) allows employees to be paid for all unused personal leave after the fifteen-day absence and will continue district-paid insurance coverage at the employee's option until the employee "is relieved from duty." The employee also has the right to continue all other coverage at his expense. It is the responsibility of the employee to complete all required forms to continue compensation and benefits in the business office.

Employees released from military service have 90 days to apply for reemployment and cannot be discharged "without cause" within one year after reinstatement to their school district positions. The law adds that reemployment protection is not extended to employees dishonorably discharged from military service.

If the time of call to active duty is optional for the employee, the Jackson County School District (JCSD) expects that the employee choose a time for reporting to active duty that is least disruptive to the district.

The Jackson County School District (JCSD) shall comply with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which, among other things, removes the distinction between active service personnel and reserve personnel from the employer's perspective. Further, the Act prohibits an employer from denying "initial employment, reemployment, retention in employment, promotion, or any benefit of employment" to a person who is a member of or applies to be a member of the uniformed services, or who is performing, has performed, or has applied to perform services in a uniformed service.
