

MILITARY LEAVE

The board recognizes that military service rendered by any employee in the defense of our country or in maintaining preparedness is a service benefitting all citizens. Therefore, the board will act in accordance with law and negotiated agreements in all matters of employment, reemployment and benefits for all permanent employees who go on military leave.

All employees in the state militia shall be granted leave without loss of pay or time for up to 90 days aggregate per year when called to active duty or active duty for training or other duty ordered by the governor.

All employees who are members of the military services of the U.S. shall be granted leaves of absence without loss of pay or time on all days when engaged in field training.

Rights of Reemployment for All Employees Called to Active Duty

Any employee of the district in any position other than a temporary one who enters into active duty in one of the military forces of the United States shall retain all rights to reemployment without loss of seniority, status or rate of pay, according to law, unless the circumstances of the district are so changed as to make reemployment impossible.

Reemployment is assured if the following conditions are met:

- A. The district employee must leave his/her position for the purpose of going on active duty.
- B. He/she must not remain on active duty longer than four years, unless the extension (up to an additional year) is at the request of the federal government.
- C. He/she must be honorably discharged.
- D. He/she must apply for reemployment in the district within 90 days after separation from active duty, unless he/she has been hospitalized for illness or injury sustained during active service, in which case leave shall be extended.



Military Leave (Cont'd.)

The board acknowledges that emergency military conditions may prevent employees who have been called to active duty from requesting leave or giving prior notice. Employees are encouraged, however, to give the board as much prior notice as possible.

Date: November 11, 1991

Reviewed: August 29, 1994

Legal References: N.J.S.A. 18A:6-33

N.J.S.A. 18A:28-11.1

N.J.S.A. 18A:29-11

N.J.S.A. 38:23-1

N.J.S.A. 38:23-1.2

N.J.S.A. 38:23-2

N.J.S.A. 38:23-3

N.J.S.A. 38:23-4

N.J.S.A. 38:23-4.1

N.J.S.A. 38:23-5

N.J.S.A. 38:23-6

N.J.S.A. 38:23C-1

N.J.S.A. 38:23C-20

N.J.S.A. 38A:4-4

38 U.S.C.A. 2021-2026

Tenure, pension and other employment rights in military service

Seniority credit for military service

Employment credit for military service

Leave of absence for field training in reserve corps

Additional to regular leave

Leave of absence to attend state or national conventions

Compensation during military service

Leave of absence from employment; reemployment

"Emergency" defined

Pensions or retirement funds, maintaining rights

Contributions to pension or retirement funds

Soldiers and Sailors Civil Relief Act - Policy

Reemployment; persons in military service, annual training,

members of reserve

Leave of absence for active duty in state militia

Veteran's Reemployment Rights