

# Palmyra Area School District

Section: PROFESSIONAL EMPLOYEES

Title: MILITARY LEAVE OF ABSENCE

Adopted: June 12, 2003

Revised: January 11, 2007

## 437. MILITARY LEAVE OF ABSENCE

<p>1. Purpose</p> <p>2. Authority SC1176 38 U.S.C. Sec. 4301 et seq 51 Pa. C.S. Sec. 4102 SC 1176</p> <p>3. Guidelines 38 U.S.C. Sec 4312 51 Pa. C.S. Sec 4102 65 P.S. Sec 114 SC 1176</p> <p>51 Pa. C.S. Sec. 7309</p> <p>SC 1178</p>	<p>Pursuant to federal law, state law, and School Code, the School District shall provide eligible employees with leaves of absence for military training or active duty in the military service.</p> <p>Leaves of absence for military or reserve duty shall be granted to full-time and part-time regular employees pursuant to federal and state law. Employees called to active military service or to reserve or National Guard training, or employees volunteering for the same, must notify the school district as soon as is practicable of such military duty or training and must submit to the School District copies of all accompanying military orders.</p> <p>All rights and privileges regarding salary, benefits, status and seniority shall be reserved to such employee as if he/she continues in the service of the District. Such employee shall agree, in writing, to return to the District for a period of not less than one (1) year upon termination of such leave.</p> <p>Employees shall report back to work in a timely manner following his/her period of military service.</p> <p>Employees are entitled to fifteen (15) days of paid leave per year for absences due to active military service, including training. After fifteen days, in times of war, a state of national emergency, or when a congressional resolution has authorized the President to use military force, the School District agrees to pay the employee on leave a salary equal to the difference between his/her school district salary and his/her military salary.</p> <p>The District shall provide health coverage at no additional cost to the employee for the first thirty (30) days. After thirty days, in times of war, a state of national emergency, or when a congressional resolution has authorized the president to use military, the School District agrees to provide health coverage at no additional cost to the employee for the duration of the leave.</p> <p>The District shall provide other benefits, such as bonuses, insurance and accrual of vacation or sick days, to employees on military leave that the District provides to employees of similar seniority and status who are on furlough or other leave of absence as provided for by the contract of the District's practice or policy.</p>
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<p>SC 1178 38 U.S.C. Sec. 4318</p>	<p>The District shall pay into the Public School Employees' Retirement Fund on behalf of each such employee, the contribution required by law to be made by it, so that such employee's Retirement rights shall in no way be affected by such leave of absence. The employee may continue to make payments into the fund during the period of military leave OR may discontinue making payments into the fund during the period of military leave but shall retain the right to receive such benefits if the employee makes contributions retroactively pursuant to applicable state and federal law. If the employee elects to discontinue payments during the period of leave, the District shall continue to make its contributions during this period as required by law.</p>
<p>SC 1178 38 U.S.C. Sec 4313 51 Pa. S.C. Sec. 4102,7309</p>	<p>The District shall promptly reinstate the employee upon return from duty to a job with pay, status, and seniority equivalent to what the employee would have enjoyed if there had been no military leave. For service of ninety (90) days or less, the employee must be offered the same position the employee would have occupied had there been no leave. For service of ninety-one (91) days or more, the District may offer the employee a job of "like" status.</p>
<p>SC 1178</p>	<p>If an employee resigns, or fails to return to his/her employment from military leave, unless waived by the Board, the amount contributed by the District to the Retirement Fund shall be deducted from the refund payable such employee, i.e. the amount paid by the district during the period of leave.</p>
<p>51 Pa. S.C. Sec. 4102</p>	<p>An eligible employee ordered to special state active duty by the National Guard shall be entitled to additional days of paid military leave of absence as required by state law</p>