

VII-7.23-POLICY ON MILITARY LEAVE WITH PAY FOR EXEMPT AND NON-EXEMPT PERSONNEL

I. PURPOSE

To establish a leave category called Military Leave for employees of Bowie State University (“BSU”) which permits an employee, under certain circumstances, to be absent from duty without loss of pay or charge to accrued leave.

II. APPLICABILITY

All regular exempt and non-exempt employees of the organized militia of the Army, Navy, Air Force, Marine or Coast Guard Reserve.

III. GUIDELINES AND STANDARDS

- A. Employees who are members of the organized militia shall be entitled to leave of absence for military training for a period of not more than fifteen (15) work days (pro-rated for part-time personnel) in any calendar year without loss of leave or charge to leave.
- B. Employees shall immediately notify their supervisors upon receipt of orders to report for military training and provide the supervisor with copies of those orders. Copies of this documentation should be submitted by the supervisor with the appropriate time sheets.
- C. An employee who is called-up to active duty during a national or international crisis or conflict shall follow USM policies VII-7.24. Commencing July 1, 2003, to the extent that there is any inconsistency between Section II of USM Policy VII-7.24 and Section II.C. of this Policy VII-7.23, Policy VII-7.23 shall take precedence.
- D. An employee who is on active military duty, or activated for military duty on, or after July 1, 2003, shall provide military orders that contain the employee’s name, dates for activation, and purpose/type of activation and shall be entitled to receive Military Administrative Leave as follows:
 - 1. Before starting an employee on Administrative Military Leave, the employee shall use the fifteen (15) days of Military Training Leave provided under Section II.A., above.
 - 2. An employee eligible to receive Military Administrative Leave under this section shall elect to use either Military Administrative Leave or paid accrued leave (Annual, Personal and/or Holiday Leave only).
 - 3. The amount of compensation, while on Military Administrative Leave, shall be the amount, if any, by which the employee’s state base salary exceeds the employee’s active duty base salary paid by the Federal government. The employee shall continue to earn Annual, Personal, Holiday and Sick Leave on a prorated basis for

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- only those hours paid by the State during this period of military duty.
4. The employee shall be notified in writing of the amount of leave hours to be paid each pay period.
 5. The employee shall submit an initial and a final copy of his/her military pay stub or other official military personnel record which includes a current date and his/her military base pay rate.
 6. Payroll deductions shall be made in the following order:
 - a. taxes
 - b. liens and levies
 - c. deferred compensation
 - d. other deductionsIn the event that the new State compensation is insufficient to cover all selected deductions, this ranked order shall be followed. The employee should make changes to his/her payroll deductions as appropriate for the new State compensation amount.
 7. State health benefits (Medical, Prescription and Dental) may be continued at no cost to the employee for the duration of his/her active military duty status. There shall be no deductions for State Retirement contributions. Employees shall be billed directly by the State for Life Insurance, Personal Accidental Death and Dismemberment, Long-Term Care Insurance, and Flexible Spending Accounts, in order to continue these benefits.
 8. Military Administrative Leave will cease on the termination date of the employee's original (subsequently submitted extended) military orders or upon deactivation, whichever is earlier.

It is the employee's responsibility to notify his/her supervisor of the termination date of the active military duty. If the employee fails to notify his/her supervisor of the deactivation, and or chooses not to return to University employment, the employee shall be responsible for reimbursement for the paid leave used while not on active duty status and may be subject to disciplinary action. The period an individual has to report back to work after military service is based on the Uniformed Services Employment and Reemployment Rights Act/US Department of Labor regulations.

IV. EXCEPTIONS:

None.