

## **UCOP Human Resources Procedures 45 – MILITARY LEAVE**

### **I. POLICY REFERENCES**

UC-PPSM 40, Holiday  
UC-PPSM 41, Vacation  
UC-PPSM 45, Military Leave  
UCOP Online Employee Database (EDB) System Manual – (LOAB – Leave of Absence Bundle)  
UC Benefits Checklists (Military Leave, Leave without Pay)

### **II. RESPONSIBILITY**

In consultation with UCOP Employee and Labor Relations, supervisors are responsible for granting military leave for the following reasons in accordance with State and Federal statutes in effect at the time leave is granted:

- inactive duty (e.g., weekend drills, weekly or monthly meetings);
- full-time active duty for training for a period not to exceed 180 calendar days (temporary military leave);
- full-time active-duty training in excess of 180 calendar days or other full-time active-duty service of any length (extended military leave);
- emergency National Guard duty; and physical examinations.

### **III. PROCESS**

#### **A. Pay Status**

Except as noted below, pay is granted for up to 30 calendar days in any one fiscal year pursuant to Policy 45.C. An eligible part-time employee shall receive pay in proportion to the average percent of full-time worked during the three monthly pay periods completed immediately preceding the leave.

NOTE: Effective January 1, 2001, the University must provide up to 30 calendar days' pay for inactive duty training in any one fiscal year. As with pay for active duty training and extended military leave, eligibility for pay for inactive duty training will be contingent upon completion of 12 months of continuous University service prior to the granting of the leave. In addition, aggregate payments for active and inactive duty training, extended military leave, and physical examinations shall not exceed 30 calendar days' pay in any one fiscal year.

#### **B. Vacation Pay**

An employee who is granted extended military leave is paid for vacation earned through the employee's last day on pay status. Upon written request, such an employee may elect to retain accrued vacation on the records for a period not to exceed 180 calendar days. Vacation credits retained on the records for the entire 180-day period are paid out at the pay rate in effect at the time of payment, taking into account any salary increases that may have occurred in the previous 180-day period.

#### **C. Reinstatement**

- Reinstatement from temporary military leave is to the same position provided that the employee returns to work immediately following discharge.

- Reinstatement from extended military leave is in accordance with State and Federal statutes in effect at the time the employee applies for reinstatement. For this reason, supervisors should consult with UCOP Employee and Labor Relations when an employee applies for reinstatement from extended military leave.
- Upon reinstatement, an employee is paid at the same or higher level, as appropriate, based on merit eligibility.
- An employee who was serving a probationary period at the time extended military leave became effective is required to complete the probationary period upon reinstatement. Such employee cannot be separated from employment by management action except for cause for one year from the date of reinstatement, provided that the extended military leave was granted for one continuous period in excess of 90 calendar days.

#### **IV. EFFECT ON BENEFITS**

Refer to UC-PPSM 45, Military Leave.