Pursuant to federal and state law, Military Leave shall be granted to College employees for certain periods of service in the uniformed services as defined herein.

A. **Generally.** Military Leave with pay shall be granted to members of the uniformed services of the U.S. Armed Forces for certain periods of active duty training and for State military duty. Such leave shall be granted to full-time, part-time, regular, provisional, trainee, and probationary employees for up to one hundred twenty (120) working hours per federal fiscal year (Oct. 1 – Sept. 30) for any type of active duty not considered to be "Extended Active Duty".

B. **Leave with Pay for Reserve Active Duty.** Members of the uniformed services reserve components who are called to "Involuntary Active Duty" shall receive up to twelve (12) calendar days of leave with pay.

C. **Retention and Continuation of Benefits During Leave with and without Pay.** Retention and/or continuation of benefits are dependent upon the type and duration of leave granted.

D. **Eligible Periods.** Military Leave without pay shall be granted for the following periods:

1. Regularly scheduled unit assemblies usually occurring on weekends and referred to as "drills";
2. Duties resulting from disciplinary actions imposed by military authorities;
3. Unscheduled or incidental military activities such as volunteer work at military facilities, unofficial military activities, etc.;
4. Inactive duty training, "drills" performed for the convenience of the member, such as equivalent training, split unit assemblies, make-up drills, etc.;
5. Extended active duty for a period not to exceed five (5) years;
6. Full time National Guard duty (usually a three (3) year contract);
7. Initial active duty for training (initial enlistment); and/or
8. Certain periods of incapacity in a medical facility resulting from injuries sustained while on active or inactive duty.

E. **Reinstatement/Reemployment from Military Duty.** Members of the uniformed services shall have reinstatement/reemployment rights as defined by prevailing law and/or guidelines established by Federal and State law.

No agent or employee of the College shall discriminate against any College employee or applicant for employment because of their membership, application for membership, performance of service, application for service, or obligation for service in the Uniformed Services. The Human Resources department is authorized to develop procedures consistent with this policy.

REFERENCES

Statutory References	38 U.S.C. Chapter 43 (The Uniformed Services and Reemployment Act of 1994), N.C.G.S. § 127A-116
Regulatory References	25 NCAC 01E .0802 - .0821, 1C SBCCC 400.7
Relevant Guidance	None
Policy Manual Cross-References	Referenced by: ● Policy 3.2.4 - Leave ● Policy 3.2.17 - Leave Without Pay ● Procedure 3.2.4.1 - Leave Requests

POLICY HISTORY

January 1, 2025	Adopted.