



Subject:	Employee Military Service
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509.1 Purpose

To establish a policy on military service for the Office of the USTC Commissioner.

509.2 Approval

USTC Board of Trustees approval: April 29, 2010. Revised: June 8, 2016; September 13, 2017.

509.3 Policy

- 3.1 **Employees Called to Active Military Status:** A USTC employee who is a member of the National Guard or any organized reserve branch of the United States uniformed services is entitled to a leave of absence with pay not to exceed fifteen working days per year for time spent on duty at annual encampments or rifle competitions, or other duties in connection with the reserve training and instruction requirements of the United States uniformed services or National Guard. A USTC employee who performs full-time service in the uniform services shall be granted a military leave without pay not to exceed five years. Employees who were absent for thirty days or less serving in the uniformed services are entitled to their job back immediately upon their return. Those who were absent for longer than thirty days but less than five years must still be re-hired within a few days of their return.
- 3.2 **Status and Seniority:** In most cases, veterans must be promptly reemployed in the job that they would have had, had they remained continuously employed. Generally speaking, this means that if peers received promotions and/or raises while the veteran was gone, the veteran does too.
- 3.3 **Health Insurance during Service:** If requested, the Commissioner's Office must continue to carry a veteran and his or her family on the group health plan for up to thirty days of service at the normal cost. Employees called to active military duty have the opportunity to continue their group health coverage beyond the thirty days under normal COBRA requirements.
- 3.4 **Immediate Reinstatement of Health Benefits:** A veteran and his or her family may choose to go back on the group health plan immediately upon his or her return to his or her civilian job.
- 3.5 **Pension Benefits:** An employee shall receive those pension plan benefits that accrued during military service, regardless of whether a plan is a defined-benefit plan or a defined-contribution plan.
- 3.6 **Accommodations for Disabilities Incurred in Military Service:** The Office of the USTC Commissioner will provide reasonable accommodation for disabilities incurred in military service, unless undue hardship can be demonstrated.



POLICIES

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- 3.7 Protection against Termination without Cause:** A reemployed veteran returning from active military service (as defined in 509.3.1) enjoys protection from termination without cause for a period of one month for each year of active military service (see 509.3.1), not to exceed a period of five months.
- 3.8 Protection against Discrimination:** A veteran is protected from employment discrimination based on past, present, or future military obligations. This prohibition extends to most employment-based decisions including hiring, retention, promotion, reemployment, termination, and benefits.