

410-09 MILITARY LEAVE—PROCEDURE

1. PURPOSE

Military training leave allows employees to fulfill obligatory military training duties.

2. PROCEDURE

1. Eligibility

Benefit eligible employees are eligible to be granted a leave of absence to perform military service under the provisions of the Arizona Revised Statutes and the Uniformed Services Employment and Reemployment Rights Act of 1994.

2. Scope of Benefit – Paid Military Leave

Under the provisions of ARS 38-610, an employee who is a member of Military Reserve Units or the Arizona National Guard is entitled to receive his/her regular compensation during a period of active duty training. This period is not to exceed 30 workdays in any two calendar years.

The period of time spent in training under orders shall not be deducted from the vacation with pay to which any officer or employee is otherwise entitled.

While on paid leave, the employee will continue to be considered the same as other active employees for purposes of all rights and benefits of employment.

3. Scope of Benefit – Unpaid Military Leave

Any absence for active duty greater than defined in section 2.2 above will be without pay.

An employee may elect to remain in a paid status by using accrued PTO and/or compensatory time during periods of unpaid Military Leave. In these circumstances the conditions of usage of unpaid leave of absence will apply when paid leave has been exhausted.

4. Discrimination Prohibited

In compliance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) employees and/or applicants for employment will not be discriminated against with respect to hiring, retention, promotion, or any other benefit of employment because of past or present military service obligation, or future application for or membership in a uniformed service.

5. Request for Leave

Valid evidence of orders must be presented to the employee's supervisor along with a Leave Request Form prior to the commencement of the leave.

6. Reinstatement
Employees entering military duty shall be permitted to return to employment with all seniority, service credits, status, benefits, and pay they would have enjoyed had they not been absent.
7. For more detail, refer to the Procedural Guidelines.

3. BACKGROUND

1. References: ARS 38-610
2. Revision history: 12/1993, 04/2001, 03/2010 (reformatted), 11/29/2010
3. Legal review: none
4. Sponsor: Human Resources

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