



TRANSMITTAL LETTER

The University of North Carolina
Office of the President

Number: 4

Date: October 16, 2001

Subject:

Faculty Military Leave, Policy # 300.2.8

This transmittal letter distributes the Policy on Faculty Military Leave, adopted by the Board of Governors 12/10/01.

Please contact Ronald Penny, Vice President for Human Resources, at 919-843-6018 if you have any questions with regards to Policy 300.2.8

Adopted 12/10/01

FACULTY MILITARY LEAVE

Background

Under the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, any employee called to active duty from Military Reserve or National Guard status is entitled to leave without pay and re-employment upon separation from military service under conditions enumerated in the act. Every campus of the University is required to comply with that provision of federal law.

The State of North Carolina accords paid leave to employees, subject to the State Personnel Act, who are called to active duty from Military Reserve or National Guard status. The Military Leave Policy of the State Personnel Commission grants, to SPA employees, military leave in an amount equivalent to 15 workdays.

The Board of Governors in the "Policy On Employees Exempt From The State Personnel Act" and the "Policy on Senior Academic and Administrative Officers" has extended the application of this SPA policy to employees exempt from the State Personnel Act holding appointments other than faculty appointments. As a result of the coverage limitations within each policy, unless addressed by campus policy, faculty called to active duty from Military Reserve or National Guard status do not have comparable leave benefits.

The Board of Governors directs that faculty members, who are called to active military duty, shall be entitled to paid military leave of an annual maximum of (1) either 18 working days, if the employee has an academic-year contract or (2) 24 working days, if the employee has a 12-month contract, effective as of the date of departure from University employment to begin active duty. If an employee has fewer than 18 days remaining on a terminal contract, the maximum paid military leave shall be equal to the remaining days under the contract.

It is not the intent of this policy to grant military leave for the annual training obligation of any member of the Military Reserve or National Guard. Nothing in this policy prohibits any constituent institution from adopting a policy that provides for a greater amount of military leave.

Effective Dates

This policy shall take effect upon adoption by the Board of Governors and shall apply to any faculty member called into active military duty status beginning FY2001 -2002.