



Authority UNC Board of Governors
Title Faculty Military Leave Policy
Responsible Office Human Resources
Subject Leave
Applies to Faculty

History: Last revised:

Additional References: NC GS 127A-116 and the Uniformed Services Employment and Reemployment Rights Act of 1994, UNC Policy Manual 300.2.8

Related Policies: Military Leave Policy for SPA and EPA Non-faculty Employees

1. POLICY STATEMENT

Leave shall be granted to faculty of NC A&T SU for certain periods of service in the uniformed services. No agent or employee of the University shall discriminate against any faculty member of the University or applicant for employment for University employment because of his/her membership, application for membership, performance of service, application for service or obligation for service in the Uniformed Services.

The provisions of this policy apply to Faculty who are appointed for nine (9) months or longer and who work half-time (50% FTE) or more.

NC A&T SU shall notify employees of their rights under the Uniformed Services Employment and Reemployment Rights Act.

Policies and guidelines for military leave vary depending on the particular purpose of the leave. The different types of leave are:

- Active Duty Training and Inactive Duty Training
- Physical Examination
- Reserve Active Duty
- Extended Active Duty and Other Military Leave Without Pay
- Civil Air Patrol and State Defense Militia

Each type of leave and the applicable benefits are covered below:

2. DEFINITIONS

“**Service in the Uniformed Service**” refers to the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes:

- Active duty (extended active duty, mobilization or call up of reserve components),
- Active duty for training of reserve components (annual training – usually 2 weeks or special schools),
- Initial active duty for training (initial enlistment in reserve or National Guard),
- Inactive duty training (drills – usually on weekends),
- Full-time National Guard (usually a 3-year contract),
- A period for which a person is absent to determine fitness of the person to perform such duty, or
- Service in or training for the National Disaster Medical System.

“**National Guard**” is a reserve of the U. S. Armed Forces. The N. C. Army and Air National Guard respond to the Governor as Commander in Chief and serve as the military arm of State government and respond to the President of the U. S. in time of war.

“**Uniformed Services**” includes:

- Armed Forces and the Reserve Components (Army, Navy, Air Force, Marine Corps, Coast Guard, Army and Air National Guard),
- Commissioned Corps of the Public Health Services,
- National Disaster Medical System intermittent disaster-response appointees, and
- Any other category of persons designated by the President in time of war or national emergency.

The Civil Air Patrol and State Defense Militia are included in accordance with the Special Provisions at the end of this policy.

3. ACTIVE DUTY TRAINING AND INACTIVE DUTY TRAINING

For each period of involuntary service, a faculty member who is involuntarily called to State or Federal active military duty shall receive up to thirty (30) calendar days of pay. For periods in excess of thirty (30) days, the faculty member shall be entitled to receive differential pay for any period of involuntary service. Differential pay is the difference between military basic pay and the faculty member’s regular university earnings for that period of time, if military pay is the lesser. If a faculty member is subject to a term contract, the pay or differential will be limited to the term of the contract.

Upon return to the University, the faculty member's salary shall be reinstated and shall include cost-of-living adjustments (if any) that were awarded while the faculty member was on military leave. Merit pay shall also be awarded upon reinstatement if the faculty member received a performance evaluation for at least one semester during the academic year and would have otherwise been eligible to receive a merit increase.

Benefits

During the period of active military duty, whether receiving full pay, differential pay or no pay from the university, a faculty member shall not incur any loss of benefits accorded to other faculty who are on a leave of absence. A faculty member covered under campus annual and sick leave policies shall continue to accumulate annual and sick leave during the period of active duty for use upon return to the University.

Reappointment, Promotion and Tenure

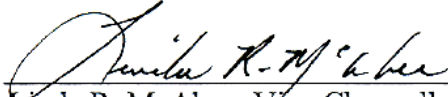
In advance of leaving work to perform military duty, a faculty member may initiate a request, consistent with campus policy, for an extension of the time during which an institutional decision must be made regarding reappointment, promotion or tenure.

4. OTHER TYPES OF MILITARY LEAVE

Faculty members are eligible for the following additional types of military leave consistent with the policies that are prescribed for employees subject to the State Personnel Act:

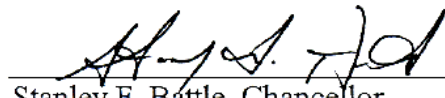
- Active Duty Training and Inactive Duty Training (see Section 3, Military Leave Policy for SPA and EPA Non-faculty Employees)
- Physical Exams (see Section 4, Military Leave Policy for SPA and EPA Non-faculty Employees)
- Reserve Active Duty (see Section 5, Military Leave Policy for SPA and EPA Non-faculty Employees)
- Extended Active Duty and Other Military Leave Without Pay (see Section 6, Military Leave Policy for SPA and EPA Non-faculty Employees)
- Civil Air Patrol and State Defense Militia (see Section 7, Military Leave Policy for SPA and EPA Non-faculty Employees)

Approved:



Linda R. McAbee, Vice Chancellor for Human Resources

Date: 1/10/08



Stanley F. Battle, Chancellor

Date: 1/10/08