



NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Board of Education Policy 5-100

Page 1 of 2

PERSONNEL MILITARY LEAVE OF ABSENCE

In compliance with the Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA), New Trier Township High School District 203 shall grant eligible employees a military leave of absence in order to serve in the Uniformed Services of the United States for a period of up to five (5) years (not including certain involuntary extensions of service). Employees who perform and return from service in the armed forces, military reserves, the national guard, or certain public health service positions will retain certain rights with respect to reinstatement, seniority, layoffs, compensation, length of service promotions, and length of service increases, as required by applicable law.

Notice of Need for Leave

Employees should notify the District of their need for leave as soon as possible and provide the District with a copy of any written orders whenever possible. This notice requirement is waived if required by military necessity, or if giving such notice is otherwise impossible or unreasonable.

Notice of Intent to Return to Work

Absent extenuating circumstances, an employee must notify the District of his or her intent to return to a position of employment after completion of service as follows:

1. In the case of an employee whose period of service was less than 31 days, the employee must report to the District no later than the beginning of the first regularly scheduled worked period on the first full calendar day following the completion of the period of service and return to the employee's residence;
2. If the employee's period of service was more than 30 days but less than 181 days, the employee must submit an application for re-employment with the District no later than 14 days after the completion of the period of service; and

3. If the employee's period of service exceeded 180 days, the employee must submit an application to the District for re-employment no later than 90 days after the completion of service.

Re-Employment Position

Employees fulfilling the requirements for reemployment shall be reinstated in accordance with federal law. Unless doing so would be impossible or unreasonable under the circumstances, the District will reinstate eligible employees to:

1. The position the employee would have held had his or her employment not been interrupted by service if the employee is qualified to perform that position;
2. The employee's pre-service position if the employee is not qualified for the position described in Paragraph 1 after reasonable efforts to make the employee qualified; or
3. If the employee's service exceeded 90 days, to a position similar to those described in Paragraphs 1 or 2.

An employee reinstated after a military leave is entitled to seniority and other rights and benefits determined by seniority that the employee had on the date that the employees service began, plus the additional seniority, rights and benefits that the employee would have attained if he or she had remained continuously employed.

Benefits

Military leave may affect health insurance and other benefits. Employees should contact the District's Human Rights Officer for additional information regarding military leave.

Legal Reference: 38 U.S.C. 4301 to 5107

Adopted: 8/24/98

Affirmed: 4/17/2006