Sample Policy: Military Leave

The following sample policies were excerpted from The Book of Company Policies, published by HR Specialist, © 2007. Edit for your organization’s purposes.

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Sample Policy 1:

“XYZ’s policy is to comply with all applicable laws that afford protection rights to employees serving duty with the military, the Reserve and the National Guard.

“There are two situations in which military leave is granted: temporary military duty (including summer encampment) and active duty. The company will supplement pay for up to two weeks per year for employees serving temporary military duty. For active duty (such as during the war with Iraq) or enlistment, leave will be unpaid. Upon your return from military service you may be eligible for reinstatement as provided in the Uniformed Services Employment and Reemployment Rights Act.

“If you enlist or are called to active duty, your benefits will not continue beyond the end of the month in which leave begins. Requests for military leave should be forwarded to your manager or supervisor.”

Sample Policy 2:

“XYZ’s policy is to comply with all applicable laws that afford protection rights to employees serving duty with the Military, Military Reserve and National Guard. Members of a Military Reserve or National Guard unit may have an annual training period. When an employee receives orders for such training, he or she should promptly notify the supervisor, detailing the duration of the required service. Regular pay minus military pay received for regularly scheduled workdays will be provided for up to two weeks.

“If an employee so desires, he or she may use vacation time for military service. Any additional time needed for military service will be a leave of absence without pay. Should an employee be required to take an extended leave without pay to fulfill his or her military duty, eligibility for reinstatement after military duty or training is completed is determined in accordance with applicable federal and state laws.”

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POLICY CONSIDERATIONS:

Reserve units make up an increasing percentage of the U.S. armed forces and are getting more training. So you have to expect to grant more time off for Reservists’ training, often on shorter notice than you may have been given in the past.

Under federal law, employers are prohibited from discriminating in their employment practices against persons
serving in the uniformed services. After an employee has gone on military leave, you are required to re-employ him if his absence is less than five years and if he reapplyes with your company within the appropriate time limits. However, you don’t have to reinstate him in his old job as long as a new position offers him similar status, seniority, benefits and pay.