



Policy and Procedures Manual Application: Full Time Personnel Section A2.9 Military Leave

A 2.9 MILITARY LEAVE

Per Oklahoma Statute 72 O.S. § 48, all employees who are members, either officers or enlisted, of the Reserve Components to include the Army and Air National Guard and the Army, Navy, Air Force, Marine Corps, the Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence for the period of such service without loss of status or seniority. During the first thirty (30) regularly scheduled work days of such leave during the federal fiscal year, the employee shall receive his full regular pay. During the remainder of such leave in any federal fiscal year, the President may elect to pay the employee an amount equal to the difference between his full regular pay and his military pay.

Prior approval must be obtained by submitting a notarized photocopy of the duty orders to the employee's supervisor. The supervisor must sign the notarized copy and forward it to the attention of the appropriate vice president, who will sign and forward to the President. A photocopy of the notarized document should be forwarded to the Employment Services Office for filing.

Per Oklahoma statute, O.S. Title 44, Section 209 and provisions of USERRA, all employees of the University who are members of any component of the Armed Forces of the United States shall, when ordered by proper authority to active duty or service, be entitled to a leave of absence for such active service up to five years (exception to the five year limitation may apply).

USERRA requires the following of employers:

- Allow employees to participate in military service
- Prompt reinstatement back into job following military service
- Accumulation of seniority, including pension plan benefits
- Reinstatement of health insurance
- Training or retraining of job skills, including accommodations for disabled
- Protection against discrimination

Service members also have responsibilities regarding military leave notice and reporting back to work.

Eligible employees may be entitled to certain benefits under the federal Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. §4301 et seq. and the applicable regulations thereto. For more detailed information regarding the above policy and procedures, please contact the Employment Services Office.