



Book	Policy Manual
Section	4000 Support Staff
Title	MILITARY LEAVE
Code	po4430.07
Status	Active
Legal	F.S. 115.07 F.S. 115.09 F.S. 115.14 F.S. 121.111 F.S. 250.341 F.S. 1012.23 38 U.S.C. 2021 et seq. 38 U.S.C. 4312 38 U.S.C. 4323
Adopted	March 21, 2017

4430.07 - MILITARY LEAVE

The School Board supports individuals willing to serve in the armed forces of the United States or the State of Florida to protect our country and State. In accordance with State and Federal laws, support staff members who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy and the terms of the collective bargaining agreement.

Support staff members called to duty are required to notify their supervisor immediately unless notice is impossible or prevented by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.

Except as provided below, support staff members who are required or volunteering to serve in the Armed Forces of the United States shall be granted leave without pay for such service to a maximum of four (4) years. Such person returning from leave shall be returned to employment, without prejudice, provided application for re-employment is filed within six (6) months following the date of discharge or release from active military duty. The School Board shall re-employ the returning ex-serviceman returning from such leave by not later than thirty (30) days from the date of written notice of intent to return to the School Board's employ.

Reserve or Guard Training

All support staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.

Compensation allowed for military leave to participate in required training exercises shall not exceed 240 hours in any one (1) annual period as provided in F.S. 115.07. Such leave is not charged as vacation. It shall be established that the period selected is not at the convenience of the employee but a military necessity, if it falls within the school year. Upon the recommendation of the Superintendent, leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay and may be granted by the School Board and when so granted shall be without loss of time or efficiency rating.

When a support staff member's assigned employment duty conflicts with ordered active or inactive duty training, it is the responsibility of the School Board to provide a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the training.

Active Military Service

Support staff members who are service members of the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave to perform active military service, the first thirty (30) days of any such leave to be with full pay.

Leave of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay. Support staff members on military leave may substitute accrued paid vacation for unpaid leave.

Re-Employment

Re-employment of all support staff members granted military leave shall be governed in accordance with 38 U.S.C. 4312. A support staff member who is granted military leave for active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that the support staff member gives notice and files an application for re-employment within the time limitations contained in Federal law. Support staff members will be returned to duty in the same or a similar position as previously held in accordance with Federal law.

Benefits During Military Leave

The School Board shall continue to provide all health insurance and other existing benefits to support staff members as required by the Uniformed Services Employment and Reemployment Rights Act, Chapter 43 of Title 38 U.S.C.

Non-instructional staff members should refer to the collective bargaining agreement for more information pertaining to leaves of absence. In the event of any irreconcilable conflict between the terms of the collective bargaining agreement and this policy, state law and/or federal regulation cited within the policy shall control over the collective bargaining agreement and the collective bargaining agreement shall control over any other policy provisions.

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