

**MILITARY LEAVE**

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Superintendent/CEO shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees as required by law and/or collective bargaining agreements. A service member who returns to the District for work following a period of active military duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or District service unless otherwise provided in a collective bargaining agreement.

The District will not discriminate in hiring, reemployment, promotion or benefits based upon membership or service in the uniformed services. The Superintendent/CEO may enact rules to implement this policy.

All requests for military leave will be submitted to the Superintendent/CEO in writing accompanied by copies of the proper documentation showing the necessity for the military leave request.

Unless otherwise impossible, all requests for military leave will be submitted at least one full month in advance of the date military service is to begin. Persons returning from military leave are asked to give notice of intent to return to the Superintendent/CEO, in writing, at least one full month in advance of the return date.

**Legal References:**

SDCL 3-12-86

USC Title 38 Chapter 43 §§ 4301-4335

Credited service for LOA due to military service  
Employment and reemployment rights of  
members of the Uniformed Services

1<sup>st</sup> Reading-4/19/2016

2<sup>nd</sup> Reading-5/17/2016

Date Adopted-5/17/2016

Last Revised-