



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Board Policy Statement

4150.00 - Uniformed Services Leaves of Absences

Approved on June 2, 2014

It is the policy of the Board of Education to comply with the Uniformed Services Employment and Reemployment Act of 1993 (USERRA) in its employment practices.

An employee who gives advance notice and who takes a leave of absence from the School District for any period of active or training service in the uniformed services of the United States, is entitled to continued employment and, after completing longer periods of service, will be re-employed in accordance with federal and state law.

In addition, in order to demonstrate its support for the nation's military services and employees who serve in the uniformed services of the United States, the Board of Education will provide certain compensation and benefits to employees who go on uniformed services leaves of absence.

Legal References/Citations

Uniformed Services Employment and Re-employment Act (USERRA) of 1993, and any amendments thereto.



CONSOLIDATED SCHOOL DISTRICT OF NEW BRITAIN

Administrative Procedure

4150.00 - Uniformed Services Leaves of Absences

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I. Purpose

The purpose of these procedures is to establish guidelines for leaves taken by employees of Consolidated School District of New Britain to serve in the uniformed services of the United States, consistent with the Uniformed Services Employment and Reemployment Act of 1993 (USERRA).

II. Eligibility

An employee who gives advance notice of and who lives the District for any period of service with the uniformed services of the United States is entitled to continued employment and, after completing longer periods of service, is eligible for re-employment under the following conditions:

- A. The employee must give advanced written or verbal notice to Superintendent or designee of the impending service unless advance notice is precluded by military necessity or otherwise impossible or beyond the employee's control. An employee must inform the Superintendent or designee of training or drill schedules as far in advance as possible.
- B. Cumulative service must not be in excess of five (5) years (with certain periods of service excluded on a case-by-case basis).
- C. The employee must report to the Superintendent or designee for re-employment within the time periods related to the duration of service, as set forth in Section IV below.
- D. The employee must have been discharged or released from service "under Honorable conditions."
- E. An eligible employee on leave for more than 30 days must provide available documentation showing the period and character of service.

III. Compensation

A. Paid Compensation

For any Uniformed Services Leave of Absence (USLA), the District will pay the difference between the employee's base per diem uniformed service pay and the employee's school district position base per diem rate of pay for a period of two weeks.

B. Accrued Paid Leave

Upon written request, employees going on USLA may use any available accrued paid vacation or other personal paid time off during such leave.

C. Life Insurance

The District will continue to provide life insurance coverage in accordance with the carrier's policy for any employee who is on USLA for a period of up to six months (180 days).

D. Health Insurance

During any approved USLA, the District will continue to pay its portion of the medical insurance premiums for up to a period of 180 days. The employee must continue to pay its portion of the medical insurance premiums for up to a period of 180 days. The employee must continue to pay his/her share of the premium, and failure to do so may result in loss of coverage. After the expiration of the 180 day period, an employee may elect COBRA health plan continuation coverage for himself/herself and his/her dependents for up to a maximum of 18 additional months.

Special rules will apply with regard to reinstatement of employment and health insurance coverage for a person who is hospitalized for, or convalescing from, an illness or injury incurred in, or aggravated during, the performance of service in the uniformed services, as set forth in USERRA.

IV. Reinstatement

- A. A person eligible for re-employment must report or submit an application/notice for re-employment to the Superintendent or designee as follows:
 - a. 1-30 days of service
 - i. Report for work on first full workday after travel home plus eight hours
 - b. 31-180 days of service
 - i. Submit application within 14 days
 - c. 181+ days of service
 - i. Submit application within 90 days
- B. Failure to report or apply to the Superintendent or designee within these time frames will be considered by the District to be an absence without notice.
- C. An eligible person will be reinstated in the position he/she would have held or achieved if his/her employment had not been interrupted by the service, if qualified for that position. If not qualified after reasonable effort by the District to qualify him/her, he/she will be reinstated in the same position he or she vacated.
- D. If the period of service was more than 90 days, the person may be reinstated in a position similar to those above with lie status, pay and seniority.
- E. If the person is not qualified for any of those positions and cannot become qualified with reasonable effort by the District, the person will be reinstated in another position of lesser status and/or pay for which he/she is qualified and accepts.

- F. Reinstated employees will receive full credit for seniority and other rights and benefits determined by seniority that they had at the start of the leave plus full credit for the period of time spent (up to five years) in the uniformed services.
- G. Reinstated employees will be treated as not having incurred a break in service for purposes of pension benefit plan vesting, eligibility, non-forfeiture of accrued benefits and accrual of benefits under the plan.