

313 Military Leave*Effective Date: 05/07/2018*

You are entitled to take military leave for any absences related to military service in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). We also comply with North Dakota Century Code 37-01-25 and 37-01-25.1. Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

While all employees are eligible to take military leave, regular full time and regular part time employees who have completed a minimum of 90 calendar days of service may request paid leave for active duty assignments, as outlined below. Military leave pay will be calculated on your base pay rate times the number of hours you would otherwise have worked on the day of absence, up to a maximum of 8 hours per day.

- **Active duty assignments:** Up to twenty (20) days paid leave per calendar year. This includes training periods which are defined as active duty periods only. For leaves exceeding 30 days, or at our discretion, written confirmation of assignment to active duty will be required prior to activation, if possible, or post activation within two weeks of return to work. Any portion of leave exceeding 20 days will be unpaid and you may use any available annual leave for the absence.
- **Non-active duty training:** You may use annual leave during this period, request leave without pay, or request a schedule change if applicable to your job position. This includes training periods which are defined as non-active duty periods only.

For information about what happens to your insurance benefits, annual leave and sick leave accruals, and eligibility for holiday pay during an extended leave taken under this policy, see our Impact of Leaves of Absence on Employee Benefits policy.

If you are on military leave for up to 30 days, you are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. If you are on longer military leave, you must notify us of your intent to return, in accordance with USERRA and all applicable state laws.

When you return from military leave, you will be placed in the position you would have attained had you remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. You will be treated as though you were continuously employed for purposes of determining benefits based on length of service.

Contact the Human Resources Department for more information or questions about military leave.