

UCR

Military Related Leaves & Benefits

Presented by:
Human Resources

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UNIVERSITY OF CALIFORNIA, RIVERSIDE

Why is Military Leave important?

Employers are seeing more and more employees undergo military training, leave for active duty, or return from military service. While these troops are proud to serve wherever they are called, there is no doubt that a lengthy tour of active duty, away from one's regular employment can be a burden on both the soldier and his/her family.

However, there are a number of UC benefits available for Reservists and Guard members called to active duty, to help ease that burden.

Know your Military Leave Benefits!



Today's Agenda

- ▶ Types of Military Related Leaves
 - ▶ Military Leave/Extended Military Leave
 - ▶ Pay During Military Leave
 - ▶ Supplement Pay — Military Leave
 - ▶ FML — Military Caregiver Leave
 - ▶ FML — Qualifying Exigency Leave
 - ▶ Military Spouse/Domestic Partner Leave
- ▶ Benefits Coverage During Leave

Military Leave

- › Reserve training leave for inactive duty, such as weekly or monthly meetings or weekend drills.
- › Temporary military leave when ordered to active duty, for training for a period not to exceed 180 calendar days.
- › **Emergency National Guard leave** — employee who as a member of the National Guard is called to active duty by proclamation of the Governor during a state of emergency.
 - › An employee who as a member of the National Guard is called to active federal military duty as the request of the President of the United States is not eligible for emergency National Guard leave, but will be granted extended military leave.
- › **Civil Air Patrol leave** — employee who as a volunteer member of the Civil Air Patrol is directed and authorized to respond to an emergency operational mission of the California Wing of the Civil Air Patrol (employee must be employed by UC for the ninety (90) days immediately preceding the commencement of leave, such leave will be granted for a period not to exceed ten (10) days per year).
- › **Physical examination leave** — employee is required to take a pre-induction or pre-enlistment physical examination to fulfill a commitment under a Selective Service or comparable law, or during a period of war or comparable national emergency.

Extended Military Leave

- ▶ Available when an employee enlists or is ordered into active-duty service of any length or active-duty training in excess of 180 days, or when an employee is ordered into active federal military duty as a member of the National Guard or Naval Militia.
- ▶ Leave will be granted for a period of up to five (5) years.
- ▶ Leave will also be granted for a period up to six (6) months from the date of release from duty.

Pay During Military Leave

- › An employee granted reserve training leave, temporary military leave for active-duty training, or extended military leave is entitled to receive the employee's regular University pay for the first thirty (30) calendar days of such leave in any one fiscal year, provided that:
 - › The employee has completed twelve (12) months of University service immediately prior to the granting of the leave; and
 - › The aggregate of payments for reserve training leave, temporary military leave, extended military leave, and military leave for physical examination does not exceed thirty (30) calendar days' pay in any one fiscal year.
- › An employee granted physical examination leave is entitled to receive the employee's regular University pay provided that:
 - › The physical examination is a pre-induction or pre-enlistment physical examination required to fulfill a commitment; and
 - › The aggregate of payments for temporary military leave, extended military leave, and military leave for physical examination do not exceed thirty (30) calendar days' pay in any one fiscal year.

Supplement Pay — Military Leave

- › Eligible employees include those who, as members of the National Guard, the Armed Forces, the commissioned corps of the Public Health Service, or any other category designated by the President, have enlisted or have been called to active military duty in the War on Terror campaign.
- › Compensation for the difference between an employee's University pay and military pay will begin on the first day of unpaid military leave.
- › The supplement to military pay will extend for a period not to exceed the employee's tour of active duty, until June 30, 2018, or until the separation date of an employee's University appointment, whichever comes first.
- › A two-year maximum lifetime limit applies, retroactive to December 14, 2001 (the policy's original starting date).

Family Medical Leave (FML) — Military Caregiver Leave

An eligible employee may take Military Caregiver Leave to care for a family member or next of kin who is a covered servicemember undergoing medical treatment, recuperation or therapy for a serious injury or illness.



* Employed with UC for 12 months & worked 1250 hours in the preceding 12 months, including Military Leave Hours

FML — Military Caregiver Leave

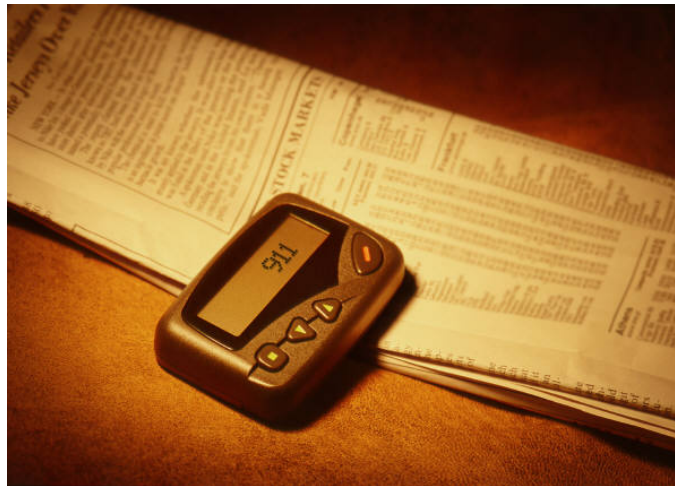
- ▶ Leave Entitlement
 - ▶ Up to twenty-six (26) workweeks of Military Caregiver Leave during a single 12-month leave period.
 - ▶ A single 12-month leave period is the period beginning the first day an employee takes leave to care for the covered servicemember and ends twelve (12) months after that date.
 - ▶ If an eligible employee does not use all of his/her 26 workweeks of leave entitlement to care for a covered servicemember during this single 12-month leave period, the remaining part of the 26 workweeks entitlement to care for the covered servicemember for that serious injury or illness is forfeited.
- ▶ Reduced Schedule or Intermittent Leave
 - ▶ This leave may be taken on an intermittent or reduced schedule basis.

FML — Military Caregiver Leave

- › Documentation and Certification
 - › Employees may be required to provide a certification completed by an authorized health care provider of the covered servicemember to establish entitlement to Military Caregiver Leave.
 - › Employees may be required to provide certain information (or have the covered servicemember provide information) establishing that the servicemember is a covered servicemember for purposes, of Military Caregiver Leave, his/her relationship with the employee, and an estimate of the leave needed to provide the care.
- › Substitution of Paid Leave Benefits for Military Caregiver Leave
 - › Employees may elect to substitute accrued vacation and/or up to twelve (12) workweeks of sick leave for unpaid Military Caregiver Leave.
 - › Employees wishing to take unpaid Military Caregiver Leave and have a vacation maximum accrual balance will be required to use at least 10 percent of accrued vacation prior to taking unpaid Military Caregiver Leave.

FML — Qualifying Exigency Leave

An eligible employee* who is the spouse, domestic partner, son, daughter or parent of a covered military member may take Qualifying Exigency Leave to attend to any qualifying exigency (defined below) when the covered military member is on active military duty or has been notified of an impending call or order to active military duty in the Armed Forces.



* Employed with UC for 12 months & worked 1250 hours in the preceding 12 months, including Military Leave Hours

FML– Qualifying Exigency Leave

- › **Qualifying Exigency** — A Qualifying Exigency is defined as any one of the following, provided that the activity relates to the covered military member's active duty or call to active duty status:
 - › Short notice deployment to address issues that arise due to a covered military member.
 - › Military events and activities, including official ceremonies.
 - › Childcare and school activities for a child of the covered military member.
 - › Parental care for the parent of a military member when the parent is incapable of self-care; and.
 - › Financial and legal arrangements to address the covered military member's absence or to act as the covered military member's representative.
 - › Counseling (provided by someone other than a health care provider).
 - › Rest and recuperation (up to fifteen (15) days of leave for each instance).
 - › Post-deployment activities to attend ceremonies sponsored by the military.
 - › Additional activities related to the covered military member's active duty or call to active duty status.

FML – Qualifying Exigency Leave

- › **Reduced Schedule or Intermittent Leave** — Qualifying Exigency Leave may be taken on an intermittent or reduced schedule basis
- › **Documentation and Certification** — Employees may be required to provide a copy of the covered military member's active duty orders. Employees may also be required to provide certification of: (1) the reasons for requesting Qualified Exigency Leave, (2) the beginning and end dates of the qualifying exigency, and (3) other relevant information.
- › **Substitution of Paid Leave Benefits for Qualifying Exigency Leave** — An employee may elect to substitute accrued vacation (and/or PTO, if applicable) for unpaid Qualifying Exigency Leave. If an employee wishes to take unpaid Qualifying Exigency Leave and the employee's vacation accrual balance (or PTO balance, if applicable) is at the maximum, the employee will be required to use at least 10 percent of accrued vacation or PTO prior to taking unpaid Qualifying Exigency Leave.

Military Spouse/Domestic Partner Leave

- › An employee who is a spouse or domestic partner of a member of the Armed Forces, National Guard, or Reserves may take this leave during a qualified leave period when the employee's spouse or domestic partner is on leave from a Period of Military Conflict.
- › A qualified leave period for this type of leave means the period during which the qualified member is on leave from deployment during a period of military conflict. An eligible employee will be entitled to up to a maximum of ten (10) days of unpaid leave during a qualified leave period.



Military Spouse/Domestic Partner Leave

- › Eligible Employees include:
 - › Spouse or domestic partner of a qualified member; and
 - › Performs services for the University for an average of twenty (20) or more hours per week; and
 - › Provides the University with notice of the employee's intention to take the leave within two (2) business days of receiving official notice that the qualified member will be on leave from deployment; and
 - › Submit written documentation certifying that the qualified member will be on leave from deployment during the time that leave is being requested by the employee.
- › Qualified Members include:
 - › A member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States; or
 - › A member of the National Guard who has been deployed during a period of military conflict; or
 - › A member of the Reserves who has been deployed during a period of military conflict.

Benefits Coverage During Leave

Generally, an employee granted a leave with pay will receive all benefits related to employment that are granted when an employee is on pay status. Special limitations or requirements that apply to certain types of leaves are addressed in the provisions specific to those leaves.

An employee on Family and Medical Leave will continue to have coverage under the University's health plans (medical, dental, and optical) as if on pay status for a period of up to 12 workweeks in a calendar year (or, for Military Caregiver Leaves, for a period of up to 26 workweeks in a single 12-month period). An employee on any other approved unpaid leave will receive health plan and retirement plan coverage in accordance with the group insurance and retirement system regulations.

To continue health coverage during an approved leave of absence, an employee must continue to make any contributions that he/she made before taking leave. For any paid portion of the leave, employee contributions will continue to be deducted from the employee's paycheck. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee fails to return to work other than for reasons beyond his/her control (such as being physically unable to return to work), the University may elect to recover from the employee the portion of premiums it paid on the employee's behalf.

Benefits Coverage During Leave

- › **Medical, Dental, Vision, Legal, Supplemental Life, and Dependent Life Plans** — While on pay status, coverage continues for 30 days. After you are off pay status, you may continue coverage, depending on your payroll deduction schedule (monthly or bi-weekly) by paying the total monthly premium(s)-both the UC and employee cost for five additional months.
- › **Retirement Plan** — You continue to earn UCRP service credit for time spent in uniformed service provided you return to work at UC and notify the University in writing of your intent to do so according to the University guidelines. The amount you earn varies based on length of service with a maximum amount of five years.

Helpful Links

- › For details on all leave of absences, including military related leaves, see the Absence from Work Policy:
http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/personnel_policies/spp2210_absence_10-30-12.pdf
- › See the Military Leave Benefit checklist for details:
http://atyourservice.ucop.edu/forms_pubs/checklists_factsheets/military_leave_checklist.pdf
- › Managing Military Members FAQs:
http://hr.ucr.edu/docs/labor_relations/managing_servicemembers_faq.pdf
- › Supplemental Pay Information:
http://atyourservice.ucop.edu/employees/policies_employee_labor_relations/military_pay_policies/index.html
 - › [Supplement to Military Pay Policy \[PDF\]](#)
 - › [Supplement to Military Pay Worksheet \[PDF\]](#)
 - › [Extended Military Leave Q and A \[PDF\]](#)

Questions?

Contact Information:

Heidie Rhodes, HR Policy & Program Manager

Email: heidie.rhodes@ucr.edu

Phone: 827-2463

Mary Johnson, Health Care Facilitator

Email: mary.johnson@ucr.edu

Phone: 827-1425