

Williamson County Board of Education



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5.306

MILITARY LEAVE

1 **A. Reservists – Annual Training (Active State Service)**

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3 State law grants paid military leave for up to twenty (20) working days in one calendar year (January –
4 December) to all employees while performing military services. The employee must submit a request for
5 leave and military orders in order to be compensated.
6

7 **B. Call to Active Duty**

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9 Except as otherwise provided in 38 U.S.C. § 4312(b) and (c), upon advance written or verbal notice, leave
10 will be granted to employees for whatever period may be necessitated by reason of service in the United
11 States military, not to exceed 5 years. Employees and their dependents covered under Williamson County's
12 health insurance plan may continue their health insurance coverage for up to 24 months as described in 38
13 U.S.C. § 4317. Employees taking military leave should immediately contact the Williamson County Benefits
14 Department to coordinate the continuing coverage.
15

16 Except in the event of convalescence as described in 38 U.S.C. § 4312(e) (2), the employee shall notify the
17 Superintendent of Schools of the employee's intent to return to employment by submitting an application for
18 re-employment within 14 days of separation from military service of more than 30 but less than 181 days or
19 within 90 days of separation from military service of more than 180 days. For military service of less than 31
20 days, the employee shall report to the employee's immediate supervisor on the next working day after
21 separation from military service plus any necessary travel to return to Williamson County.
22

23 At the time of reapplication or reporting, the employee shall provide official documentation establishing the
24 dates of military service and the nature of the separation from service (i.e.: whether honorable, etc.), if said
25 documentation is available. If said documentation is not available, the employee shall include in the
26 application or reporting a written statement of the dates of service and nature of separation and shall actively
27 seek said documentation and provide same to the Assistant Superintendent of Human Resources
28 immediately upon obtaining same. In the event the employee reapplies or reports to the employee's
29 supervisor as required above, the employee shall be returned to employment if a position is available
30 pursuant to the terms of 38 U.S.C. § 4301 et seq. If the employee's separation from military service is for any
31 of the reasons described in 38 U.S.C. § 4304, their benefits under this policy shall immediately terminate.
32

33 A licensed employee's time on leave will not be credited towards the probationary time required prior to an
34 offer of tenure, and a classified employee's time on leave will not be credited towards the 90 day probationary
35 period of a new employee. Upon return to employment under the terms of 38 U.S.C. § 4301 et seq., the
36 employee will not be considered to have had a break in service for purposes of pay scales and other benefits
37 which are based upon time of service.
38

39 Nothing contained in this section shall be construed to require the Board to pay the employee during the
40 leave, except as provided by law. However, with the approval of the Board, the Superintendent of Schools
41 may exceed the benefits and salary as delineated under law.
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43

44 **Legal References:**

45 38 U.S.C. § 4301 et seq. (USERRA)
46 20 C.F.R. Part 1002
47 TCA §§ 8-33-109, 49-5-503, 49-5-504
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Cross References:

5.306p Procedures for Military Leave