POLICY:
Georgia Perimeter College as a member of the University System of Georgia allows for military leave.

PROCEDURE:
ORDERED MILITARY DUTY

“Ordered military duty” is any military duty performed in the service of the state or the United States, including but not limited to service schools conducted by the armed forces of the United States. Such duty shall be deemed “ordered military duty” regardless of whether the orders are issued with the consent of the employee (BR Minutes, 1990-91, p. 173).

COMPENSATION WHILE ON ORDERED MILITARY DUTY

In accordance with Georgia Law O.C.G.A. § 38-2-279[e], an employee who receives orders for active military duty shall be entitled to a leave of absence with pay for the period of such “ordered military duty,” including travel, not to exceed a total of eighteen workdays in any one federal fiscal year (October 1 - September 30). If the employee’s active military duty transcends portions of two different federal fiscal years, the employee will be paid eighteen days military leave for each fiscal year in which the military leave occurred.

After an employee has exhausted paid military leave, the college may pay the employee for accumulated annual leave. At the expiration of the maximum paid leave, continued absence by the employee shall be considered as “military leave without pay.” Employees who elect not to use accrued leave or who exhaust accrued leave will take a leave of absence without pay.

STATE OF EMERGENCY

In the event the governor declares an emergency and orders an employee to active duty as a member of the National Guard, the employee while performing such duty shall be paid his/her
salary or other compensation as an employee for a period not exceeding thirty days in any one federal fiscal year.

**NOTIFICATION**

Upon receiving military activation orders, an employee must advise his/her employer. Unless precluded by military necessity, advance notice must be provided. Employees are encouraged to provide documentation of military duty prior to activation.

Upon re-employment, an employee will be required to present the institution with a copy of his/her completion of military assignment orders that specify the dates/duration of ordered military duty.

**HEALTH AND DENTAL BENEFITS**

An employee may elect to continue coverage under a University System of Georgia health insurance and/or dental insurance plan while performing ordered military service.

The military will provide primary medical and/or dental coverage for an employee while he/she is on active duty. The University System of Georgia will provide primary medical and/or dental coverage for a covered spouse and dependents unless the covered spouse/dependents have primary coverage through another group plan. The employee will be required to pay the employee’s portion of the premiums for any coverage in which he/she is enrolled.

For an employee who is called to full-time, active military duty, such action constitutes a qualifying event and permits an employee to make a change in his/her health and/or dental plan coverage. An employee must make a change in health and/or dental plan coverage within thirty-one days of his/her activation date. If the required military service of an employer coincides with a University System of Georgia open enrollment period, the member may make an open enrollment election within thirty-one days of his/her return to employment within the System.

When an employee returns to employment with the University System of Georgia, the member may revert to his/her initial election of health and/or dental coverage.

A military activated employee who elects to continue with the University System of Georgia health and/or dental coverage while on unpaid active military duty will be responsible for remitting the employee portion of the monthly premium. Coverage will be cancelled if the employee fails to remit required premiums within institutionally defined deadlines.

**RETIREMENT PLANS**
While an employee is on paid leave military status, employee and employer retirement amounts should continue to be paid. When an employee enters a leave without pay military status, the employee and employer retirement plan contributions should cease.

Upon return from active military service, an employee is entitled to “catch up” with the retirement plan contributions to TRSGA or ORP that he/she would have made as an active employee within the University System of Georgia. Upon re-employment, an employee may have either three times the length of his/her active military service or five years, whichever is shorter, to “catch up” with the retirement plan contributions, as identified in the Uniformed Services Employment and Re-employment Rights Act (USERRA).

A person’s entitlement to the “catch up” retirement plan contribution benefit will be terminated if he/she separates from the uniformed services under other than honorable conditions.

When an employee begins making military service retirement plan “catch up” contributions, the institution must begin submitting its corresponding employer contribution. Upon payment of these contributions to TRSGA for active military service, such service shall be added as years of creditable service.

**LIFE INSURANCE**

The employer should continue to provide $25,000 of basic life insurance for an employee while he/she is on active military duty. With regard to supplemental and dependent life insurance, a covered employee may elect to continue such coverage while on active military duty.

To continue coverage, the member would be required to remit premiums to the employer. If a covered employee elects to drop this type of coverage while on active military duty, he/she will have to demonstrate “evidence of insurability” for reinstatement in the plan.

There will be no accidental death and dismemberment benefit if the member dies from an “act of war or service in any military force of any country when the country is engaged in war” (Regents Life Insurance Policy).

**HOLIDAYS**

There will be no payment for any holidays occurring during the period of an employee’s order for active military service.

**RETURN TO WORK**
The cumulative length of time that returning service members may be absent from work for military service and retain their re-employment rights is five years. Returning service members are to be reemployed in the position that they held or that they would have attained had they not been ordered to active military duty.

USERRA regulations specify return to work or re-employment timeframes that an employee must follow upon completion of active military service:

- Less than 30 days: An employee shall return to work the first day following the completion of his/her active military service.
- 30 – 180 days: An employee must request reinstatement of employment within fourteen days following the completion of his/her active military service.
- Over 180 days: An employee must request reinstatement of employment within ninety days following the completion of his/her active military service.
- A service member convalescing from injuries during military service or training may have up to two years to return to his/her position.

Approved by CAB 01/24/02
Approved by PPAB 9/20/11