

Military Leave

The district will grant military leave as provided by law to each staff member who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one days during each year beginning October 1st and ending the following September 30th, provided such reservist has been called to, or volunteered for, active duty or active duty training. Such military leave of absence will be in addition to any vacation or sick leave to which the staff member may be entitled and will not result in any loss of rating, privileges or pay. During this 21 day period of military leave, the staff member will receive his/her normal pay from the district.

Employees whose school district employment is interrupted by up to five years of service in a uniformed service are entitled to re-employment by the district following their discharge. The superintendent will adopt procedures to implement these re-employment rights consistent with state and federal law.

Military Leave – Spouse/Registered Domestic Partner

The district will allow an employee who is the spouse/registered domestic partner of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days of unpaid leave during a period of military conflict when:

- A. The military spouse/registered domestic partner is on leave from a deployment; or
- B. Prior to deployment once the military spouse/registered domestic partner receives official notification of an impending call or order to active duty.

The employee must work an average of twenty hours or more each week for the district.

The employee is entitled to fifteen days of unpaid leave for each deployment. The employee must provide the district notice of intent to take leave within five business days of the call to active duty or notice of leave from deployment.

Cross References: Board Policy 5404

Family, Maternity and Military
Caregiver Leave

Legal References: [RCW 38.40.060](#)
[Chapter 49.77 RCW](#)
[Chapter 73.16 RCW](#)
[AGO 1961No. 81](#)

Military leave for public employees
Military Family Leave Act
Employment and Re-employment
Public Employees — State and
Municipal employees — Military
leave — Reserve meetings
Uniformed Services Employment and
Reemployment Rights Act

Management Resources:

Policy News, April 2009
Policy News, February 2009
Policy News, June 2001

Military Leave
Military Leave
State Updates Military Leave Rights

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Employees whose employment with the district has been interrupted by service in the uniformed services have the following re-employment rights:

- A. Service in the uniformed services means: active duty, active duty training, initial active duty training, inactive duty training, full-time National Guard duty (including state-ordered active duty) and examinations for fitness for duty;
- B. If the employee was engaged in military service for up to and including ninety days, the employee will be re-employed in the position he or she would have attained if there had been no interruption of employment;
- C. If the employee was engaged in military service for more than ninety days, the employee will be re-employed in a position of comparable seniority, status and pay as he or she would have attained without interruption of employment; and
- D. A district employee who has a service-connected disability will be re-employed in a position of similar seniority, status and pay for which the employee is qualified or becomes qualified with reasonable accommodation by the district.

In order to be eligible for re-employment, the employee returning from military service must apply for re-employment as follows:

- A. If military service was up to and including thirty days, the employee must report for work at the beginning of the first full work day at least eight hours after the employee has had time to return to his or her residence following the completion of the military service;
- B. For service from 31 to 180 days, the employee must submit an application for re-employment within fourteen days of completing military service; and
- C. For service over 180 days, the employee must submit an application for re-employment within ninety days of completing military service.

The application time lines will be extended if it was impossible or unreasonable for the employee, through no fault of his or her own, to report for re-employment. The application time lines will be extended for up to two years if the employee is hospitalized or recovering from an injury suffered as a result of military service.

The employee may be required to document the timeliness of his or her application for re-employment, and the length and type of military service. If an employee does not comply with the timelines for returning to work or applying for re-employment, he or she is subject to district policies related to failure to report for work or exercise rights to re-employment.

Employees returning from military service will receive the seniority and other benefits they would have received if their employment had been uninterrupted, except that employees may be required to pay the employee portion of any benefit that any other employee on a leave of absence would have had to pay. For retirement system purposes, no break in employment will be considered to have happened for employment interrupted by military service, and the district will pay the employer's portion of the retirement system contribution for the time the employee was on military service.

The district will offer health insurance benefits for up to eighteen months of military service. For the first 31 days the employee will pay only the employee's share of the coverage, if any. After 31 days, the employee may only be charged up to 102 percent of the premium for the benefits.