

# MANUAL OF POLICY

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**POLICY NUMBER:** II-31 **PAGE** 1 of 2

**POLICY TITLE:** All Personnel: Military Leave for Training and Extended Active Duty

**LEGAL AUTHORITY:** FLORIDA STATUTES 115.07, 115.08, 115.09 AND 115.14; STATE BOARD OF EDUCATION RULE 6A-14.0432; Uniform Services Employment and Re-employment Rights Act (USERRA)

**DATE OF LAST REVIEW:** 6/21/2005, 6/19/2007 and 7/21/2009

**DATE OF BOARD ACTION:** 12/3/1969, 6/2/1971, 11/23/1981, 6/21/2005 and 7/21/2009

The District Board of Trustees will grant Military Leave for training periods or extended active duty in accordance with Florida Statutes, State Board of Education Rules and Federal Regulations.

- A. All full-time employees of the College who are members of a reserve unit in the armed services, or members of the National Guard, shall receive their regular pay for required military training periods up to a maximum of seventeen (17) days, converted into hours, during the fiscal year. This duty is generally referred to as Temporary or Active Duty for the purpose of training. Subject to applicable law, such leave shall be granted at the discretion of the District Board of Trustees and, except in unusual cases, shall not be given at a time when the employee is expected to be engaged in the work of his profession. The employee and his/her supervisor shall make every effort to schedule this type of leave at a time that will not interfere with the normal operation of the College.
- B. Military Leaves may be granted a full-time employee for an indefinite period of time. The first thirty (30) days of such leave shall be granted with full pay and the remainder without pay provided that the employee is:
  - a. inducted or volunteers for duty in the armed services, or
  - b. recalled to active duty from the reserve status for a period of ninety (90) days or more, or for an indefinite period of time.
- C. An employee who has been granted a Military Leave for an indefinite period of time or for extended active duty shall, upon completion of the tour of duty, be returned to employment without prejudice provided an application for re-employment is filed in accordance with State and Federal law. The District Board of Trustees shall have a reasonable length of time, in accordance with State and Federal law, to reassign the employee to duty at the College.
- D. If all available Miami Dade College paid military leave is exhausted, the College will provide additional compensation to any full-time employee of the College equal to the difference between the College's total compensation and total military compensation (including military allowances and supplements, but excluding combat pay) if the Miami Dade College total compensation during the

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same period would be higher. This “gap compensation” will be provided to any full-time employee of the College that is a member of a Reserve or National Guard unit and is involuntarily activated, deployed, or extended.

	7/21/09
<b>CHAIRMAN</b>	<b>DATE</b>