

03.607 Military Leave (Annual or Short Term)

Military Leave (Annual or Short-Term). A leave of absence with full pay shall be granted to staff members who, as members of the National Guard, or Reserve Components of the U. S. Armed Forces, shall be engaged in training or duty, ordered or authorized by proper authority. Such leave shall be granted only for the actual period necessary to fulfill the military requirement. Leaves other than those required in emergencies will not exceed fifteen (15) consecutive or nonconsecutive working days in any Federal fiscal year (October 1 - September 30).

2. General.

- a. Annual military leave of absence is not charged against vacation leave or sick leave balances.
- b. Military leave should be requested in advance. A copy of the employee's military orders must be attached to the Application for Approval of Leave/Overtime Form UPO-15, which must be submitted to the department official who has the designated authority to approve leave. (The department official who has the authority to approve leave is the head of the department unless otherwise directed by the Vice Chancellor or Chancellor).
- c. To facilitate participation in military duties by state employees, each System department shall adjust the work schedule of any employee who is a member of the Texas National Guard or the United States Armed Forces Reserve so that two of the employee's days off work each month coincide with two days of military duty to be performed by the employee.
- d. Annual or short term military leave utilized should be recorded on the staff member's departmental Regular Staff Member Time Card Form UPO-24.
- e. Upon completion of military service, the staff member must report to the System not later than the beginning of the first full regularly scheduled work period on the first full calendar day following completion of the period of service plus 8 hours, after a period allowing for safe transportation from place of service to residence.

3. Military Leave During Emergencies.

- a. An employee called to active duty during a national emergency to serve in a reserve component of the armed forces of the United States or in the National Guard is entitled to an unpaid leave of absence (following the expiration of their fifteen (15) days leave of absence with full pay). The employee continues to accrue state service credit for purposes of longevity pay while on military duty during a national emergency, but does not accrue vacation or sick leave during that time. The employee retains any accrued vacation or sick leave and is entitled to be credited with those balances on return to employment from military duty during a national emergency.

- b. An employee who is called to active duty as a member of the Texas National Guard by the governor because of a state emergency is entitled to paid leave for the time in which that employee is on active duty. This time is not limited and does not count against military leave or annual leave.

See also: Military Leave (Extended) / Reinstatement of Veterans policy for additional information regarding military leave during emergencies.

REFERENCES:

Section 431.005, Section 431.0825, Section 661.903, Section 661.904, and Section 658.008 Texas Government Code.

Attorney General Opinion No. C-679, May 9, 1966.

PL 103-353, "Uniformed Services Employment and Reemployment Rights Act of 1993."

State Auditor's Office Leave Interpretation, No. 98-06.