

Policy on Military Leave of Absence

It is the policy of Dutchess Community College to support our faculty and staff who continue to serve their country in the Armed Forces, Reserves, National Guard or other “uniformed services.” The College acts to ensure compliance with all applicable Federal and State laws and to safeguard employee rights so that employees:

1. Are not disadvantaged in their civilian careers because of their service;
2. Are promptly reemployed in their civilian position upon their return from duty;
3. Are not discriminated against in employment based on past, present or future military service.

Compensation and Benefits During Military Leave

- I. Military leave for up to a maximum of thirty (30) calendar days will be granted with pay and no loss of benefits.
- II. Military leave beyond thirty (30) calendar days will be granted without pay. An employee on military leave may opt to, but is not required to, use compensatory, vacation and/or personal leave benefits during the time that one is performing military service.
- III. An employee on military leave may elect to continue the College’s health plan coverage and is required to pay the employee's share of the insurance premium when in service for 30 days or less. Thereafter, for leave beyond thirty (30) calendar days, the employee may elect to continue healthcare coverage as provided under Federal and State law.
- IV. An employee's military service is not to be considered a break in employment for pension benefit purposes, and that the person's military service will be considered service with the College (employer) for vesting and pension benefit accrual purposes.
- V. An employee returning from military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have obtained with continuous employment.

Related Laws

USERRA 38 U.S.C. §§4303(3), (4).

NY Military Law Ch. 36 Sec. 242, Sec 243, Sec. 251, Sec. 317, Sec. 318).

NY Human Rights Law N.Y. Exec. L. §§291, 292, 296.

Attachment to Board of Trustees Resolution #2016-63, dated August 9, 2016