

MILITARY LEAVE

The University of Nebraska shall comply with the Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA) and Neb. Rev. Stat. 55-160 et seq. concerning the treatment of University employees with military obligations. USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service of certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniform services and applicants to the uniform services.

In general, USERRA requires employers to grant leave to employees serving in the U.S. Armed Forces and the various reserve units; protects applicants and employees against discrimination on the basis of military service in the areas of hiring, job retention and advancement; provides certain rights to reemployment upon return from leave; and extends health care and retirement plan coverage during military leave.

In accordance with State law, the University provides 15 workdays of paid military leave per calendar year, without regard to the specific nature of the military leave (e.g., active military duty, annual training, emergency assignment, assignments of an unspecified length). Military service beyond fifteen workdays will be charged against accrued vacation or taken without pay, as designated by the employee within a reasonable time of receiving notice of his or her leave. Generally defined, annual training refers to that temporary duty in which military reserve personnel engage, commonly serving one weekend per month and two consecutive weeks during the year.

Employees serving in the military are required to provide advance notice to the University concerning their military obligations when possible and must inform the University when they plan to return to work once they have been discharged from their military duties.

Leave will be granted to any employee who is a member of the National Guard or any other reserve component ordered to active duty under emergency conditions. Should the military pay of such person be less than his/her full University pay, the University shall pay the differential while the person is in the active emergency service of the State.

Employees on military leave may continue medical and/or dental coverage for themselves and/or their dependents by paying the full cost of the premium (100%). This coverage may be continued for up to 18 months from the date active military service began. Should the employee and/or dependents discontinue coverage, the coverage may be reinstated upon return from military service with no waiting period or exclusion for preexisting conditions.

Employees on military leave may continue to participate in the group life plan while on leave by paying the full premium. The Security Mutual Basic and Optional Plan, unlike many insurance programs, will cover the employee's death while on military duty; however, the Accidental Death and Dismemberment Plan does not cover claims associated with military service. Should the employee decide to discontinue any life insurance coverage, he/she may reinstate the coverage upon return to University employment without evidence of insurability.

Long Term Disability coverage may not continue during military leave. Continued participation in reimbursement accounts is permitted.

Once employment is reinstated, the employee may request retroactive participation in the basic retirement plan, if otherwise qualified to participate. Upon paying his/her portion of the contribution to the retirement plan, the University will make the employer's retirement plan contribution. The amounts contributed will be based on the employee's compensation had he/she continued employment with the University. The employee may also make up contributions to the SRA plan.

Employees may count military service towards the retirement plan's two years of service eligibility requirement.