

**AMERICAN LIBRARY ASSOCIATION
PERSONNEL POLICY MANUAL**

Item Number 311

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MILITARY LEAVE

Reviewed and
Updated 8/06

National Guard and Reservists - Training or Short Term Duty

Any staff member required to serve reservist or National Guard duty must give notice of the need for leave as far in advance as practical. If possible, staff members should present a schedule at the beginning of the training season and notify the Unit Manager and Department Head of changes as they occur.

This time may be charged against the employee's vacation account or may be granted as a leave of absence without pay, as the employee requests.

Emergency Duty for National Guard and Reservists

In cases of civil disorder or national emergency, up to one month's salary minus military pay will be paid to an employee called to serve. Time in excess of one month may be charged as vacation or may be granted as a leave of absence without pay, as the employee requests.

Active Duty - Enlistees or National Guard

Regular full-time and part-time employees who enter active military service are granted leave of absence without pay with reinstatement rights as determined by applicable laws. Staff members employed six months or more prior to entering active military service will be given two weeks' transition pay in addition to compensation for any accrued vacation at the beginning of military leave.

Health Coverage

Reservists called to active duty for more than 30 days should be covered by military healthcare; however, employees called to active duty are eligible to elect continuation coverage under COBRA. COBRA allows individuals to continue coverage for themselves and their eligible dependents under an employer-based plan for the lesser of 24 months or the date on which the employee fails to return from service or apply to ALA for a job. If the Employee elects continuation coverage, the Employee is responsible for up to 102% of the full premium.

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HIPAA provides “special enrollment” rights to enroll in another health plan regardless of enrollment periods. Therefore, the family could enroll in a health plan available through a spouse’s employer by requesting enrollment within 30 days of losing eligibility under the reservist’s plan.

Uniformed Services Employment Re-employment Rights Act of 1994 (USERRA)

Congress enacted USERRA to protect the rights of persons who voluntarily or involuntarily leave employment to enter the military service. Regarding group health plans USERRA codified three significant rules.

- 1) Those who enter the military service must be offered the right to elect to continue their existing employer-based health coverage for a period of time (generally up to 24 months) while they are in the military.
- 2) Following the period of military service, the employee and eligible dependents must be reinstated in the employers group health plan.
- 3) USERRA continuation coverage only must be provided for the lesser of 24 months of the period of military service (measured from the date the military absence begins and ending on the day after the service member fails to apply for re-employment.