



4.7.3 State Military Forces and Reserve Duty

Chapter 4 - General Personnel	Original Effective Date: November 2000
Section: 4.7 Work and Leave Administration	Date Last Reviewed: February 2009
Responsible Entity: Vice President and Chief Human Resources Officer	Date Last Revised: February 2009

I. Purpose

To establish State Military Forces and Reserve Duty leave procedure as required and permitted by law for UT Health San Antonio.

II. Scope

This policy applies to all UT Health San Antonio employees who are called to active duty for the State National Guard and Reserve Duty.

III. Policy

A. General Policy

UT Health San Antonio (UTHSA) will grant paid military leave to employees who are called to active duty for the State National Guard in accordance with the terms set forth below. See Institutional Handbook of Operating Policies (IHOP) Policy [4.7.2 Uniformed Services Employment and Re-employment Rights](#), for information on UTHSA employees returning from other military services.

B. Leave Entitlement

State employees are entitled to the following types of leave for military service:

1. Authorized training or duty for members of the state military forces and members of any of the reserve components of the United States Armed Forces;
2. Call to National Guard active duty by the Governor; or,
3. National emergency active duty for members of a reserve branch of the United States Armed Forces.

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C. Authorized Training or Duty

A UTHSA employee who is called to active duty or authorized training as a member of the state military forces or any of the reserve components of the United States Armed Forces is entitled to a paid leave of absence from his or her respective duties without loss of time, efficiency rating or performance review rating, vacation time, or salary for not more than fifteen (15) working days in a federal fiscal year (October 1 through September 30.)

1. The fifteen (15) days of military leave need not be consecutive. Members of the state military forces or members of reserve components of the United States Armed Forces who are ordered to duty on non-consecutive days are entitled to a total of fifteen (15) days. These fifteen (15) days of military leave are working days and not calendar days.
2. All military leave, other than a call to active duty in the National Guard by the Governor, is subject to a maximum of fifteen (15) days of leave each federal fiscal year.

D. Military Leave During National Emergency

A leave of absence will be provided to an employee called to active duty during a national emergency by a reserve branch of the United States Armed Forces. During such leaves of absence, the employee will accrue state service credit, but will not accrue vacation or sick leave. However, the employee retains any accrued sick or vacation leave and will be credited with those leave balances upon return.

1. Employees are entitled to a maximum of fifteen (15) working days of paid military leave if they have not already exhausted their annual entitlement.
2. An employee who remains on active duty after exhausting his or her fifteen (15) days of annual entitlement may use accrued vacation leave to the extent available, or be placed on a leave without pay, or a combination of the two for the remainder of the active duty period.

E. Call to National Guard Emergency Leave by the Governor

An emergency leave of absence with full pay will be provided to an employee who is called by the Governor of Texas to active duty as a member of the National Guard because of a state emergency, without loss of paid military or annual leave. The employee is entitled to this leave with full pay. This time is not limited and does not count against the fifteen (15) days maximum military leave nor is the employee required to use annual leave.

Only when the Governor calls a member of the National Guard to active duty for an emergency is the period of leave unlimited, paid, and without loss to annual or military leave. If a member of the National Guard is called to duty for training

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or duty authorized by a proper authority other than the Governor, the fifteen (15) day maximum of paid military leave each fiscal year applies.

F. Adjustment in Work Schedule for Members of the National Guard

The work schedule of any employee who is a member of the Texas National Guard or the United States Armed Forces Reserve must be adjusted so that two (2) of the employee's days off each month coincide with two days of military duty to be performed by the employee, in order to facilitate participation in military duties by state employees.

G. Procedures

1. Employees must notify supervisors as soon as possible when they are called for military duty.
2. Employees must provide copies of military orders to their supervisor prior to taking military leave.
3. Accurate records of military leave taken will be retained in the employee's departmental file. If employees are on military leave for one calendar month or more, accurate records of state service credit will also be maintained by the department and reported to the Office of Human Resources.

IV. Definitions

There are no defined terms used in this Policy.

V. Related References

There are no related documents associated with this Policy.

VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

Effective Date	Action Taken	Approved By	Date Approved
11/2000	Policy Origination		
02/2009	Policy Revision		