

## **MSU Billings Personnel Procedures**

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**POLICY REFERENCE: Leave - Military**

**OTHER REFERENCES:** 10-1-1006, 1007, 1009, M.C.A.; MOM 3-0321; MUS 708.1, 708.1.1; Collective Bargaining Agreements; Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1995

**DATE ADOPTED/REVISED:** 10/08/08

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An employee who is a member of the organized militia of Montana State or who is a member of the organized or unorganized reserve corps or military forces of the United States and who has been an employee for a period of at least six (6) continuous months shall be given leave of absence with pay for a period of time not to exceed fifteen (15) working days in a calendar year for attending regular encampments, training cruises, and similar active duty training programs of the organized militia of the State or the military forces of the United States. Such leave of absence will not be charged against any other leave credit earned by the employee. Military leave shall not be taken for regularly scheduled drills.

Part-time employees are eligible for pro-rated military leave if they have worked the six (6) month qualifying period.

Military leave may not be accumulated from one year to the next.

An employee may be requested by the supervisor to provide a copy of the military orders with the request for military leave.

Employees who are members of Montana's National Guard may be ordered to active federal or state service by competent authority to aid in the execution of the laws, suppress insurrection, repel invasion, or protect life and property in national disasters. When ordered to active duty for such exigencies, employees shall have the option of taking annual leave or leave without pay. If the employee elects to take leave without pay, the employee continues to accrue annual and sick leave and other benefits even if it extends beyond fifteen (15) days.

All Military Leave shall be accurately reported on the employee's time records.

In the event an employee is called to active State of Montana or federal duty, the employee will be guaranteed a leave of absence and subsequent reinstatement to the same or a position comparable to that held at the time active duty commenced.