



SUBJECT: 400 Human Resources

Policy: 406.8 Military Leave

Effective:

Revised:

Reviewed:

Reference: 10-1-1006, 1007, 1009 M.C.A.; MUS [708.1](#), [708.1.1](#); MOM 3-0321; Collective Bargaining Agreements; [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) of 1994

In accordance with the policy of the State of Montana, full-time employees who have completed a six (6) calendar month period of continuous of employment are eligible for up to fifteen (15) working days per calendar year of military leave to attend regular encampments, training cruises and similar active duty training programs of the organized militia of the State or of the military forces of the United States. Part-time employees are eligible to receive prorated military leave under the same conditions and circumstances.

An employee on military leave receives the regular gross salary and benefits. Military leave, which is not used in one calendar year, may not be carried over to the next calendar year. When requesting military leave, the employee needs to complete a Leave Request following the same procedures as when requesting annual leave. A copy of the military orders must be attached to the Leave Request.

The [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services. For details regarding military leave, please contact the Director of Human Resources.