

Staff Leaves for Military Purposes

A. [T]he Board [shall] adopt the following policies with respect to staff leaves for military purposes:

I. Service in the Organized Reserves.

1. Employees of the Board who have tenure and who come within the provisions of Section 245 of the Military Law, - namely, those ordered into military duty with the organized reserves, will be granted their salary for a period of thirty days and the difference between their military salary and civil salary for the remainder of their absence on military duty.
2. Any employee of the Board shall be entitled to absent himself with pay for military duty with the organized reserves for a period or periods up to and including thirty days in any one calendar year, notwithstanding the fact that orders therefor may be issued with the consent of the employee.
3. Since the legal questions raised as to the status of those who go into military duty with the organized reserves with their consent is now pending, action upon such leaves is deferred until the matter is clarified.*

[Footnote:] * Pending the clarification of these questions a special leave of absence without pay is to be granted to those who have tenure and who go into military duty with the organized reserves with their consent; such leave to begin at the date of termination of the thirty days with pay period and is not to be terminated except at the beginning of a new term.

II. Service under the Selective Service Act.

[P]ursuant to the provisions of Section 246 of the Military Law as amended, members of the staff having tenure who volunteer for service or who are drafted under the Selective Service Act shall be granted leaves of absence without pay during the period of military service. They shall be entitled to reinstatement to their positions, provided application is made within ninety days after termination of military duty, to protection of pension rights, seniority, increments and other rights and privileges specified in section 246 of the Military Law.

III. Effect of Military Leave on Tenure Credit.

[A] military leave of absence required to be granted pursuant to Section 245 or 246 of the Military Law shall not create a hiatus in the continuity of service of the individual involved if such person is continuously reappointed to his position.

B. [I]n order to facilitate the payment of substitutes during the thirty days with pay period for persons on military leave with the organized reserves, the Budget Director be requested to modify the budget code line for payment of substitutes for absent teachers, to include the payment of substitutes employed during the thirty day salary period of those entering military service under section 245 of the Military Law.

(Board of Trustees Minutes, 1949, 02-21, 7)