



MANAGER MINUTE

NOV 15, 2023

MILITARY LEAVE

ISSUE 09



MILITARY LEAVE

UTHealth employs members of the Armed Forces and reserves who may be called into military duty. The law and UTHealth policy provide rights and privileges to employees who serve in the military and their families. It is important to respect these rights and follow the law. Those rights include protected leave and, in some cases, differential pay. This Manager Minute will only address Military Leave as outlined in [HOOP 41](#).

WHO IS COVERED BY HOOP 41?

Employees (including faculty) called to active duty or authorized training who serve in the:

Armed Forces of the United States:

- Army, Navy, Marine Corps, Air Force, Coast Guard
- Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Air National Guard
- Commissioned Corps of the Public Health Service, and any other category of persons designated by the President of the United States in time of war or emergency
- Space Force

Texas Military Forces:

- Texas National Guard, Texas State Guard, and any other active militia or military force organized under state law.

TYPES OF MILITARY LEAVE AVAILABLE

Regular Military Leave

Employees who are members of the Texas Military Forces, a reserve component of the United States Armed Forces, or an authorized urban search and rescue team and are called to active duty or authorized training will receive a paid leave of absence on a day on which the person is engaged in authorized training or duty ordered or authorized by proper authority up to 15 working days in a federal fiscal year (October 1 through September 30).

State Emergency Leave

Employees called by the Governor of Texas to state active duty as a member of the Texas Military Forces in response to a natural or manmade emergency are entitled to paid emergency leave for the full duration of the required duty without loss of Regular Military Leave or other annual leave.

National Emergency Leave

Employees called to federal active duty to assist civil authorities in a declared emergency or for training specifically related thereto, will receive a paid leave of absence of up to 22 working days in a federal fiscal year.

Personal Leave

An eligible employee may choose to use any accrued vacation leave, or compensatory time to maintain pay and benefits for the employee or the employee's dependents while the employee is on military duty.

NOTE: State Emergency, National Emergency and Personal Leave do not count against the 15 paid working days allotted for Regular Military Leave.



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MY EMPLOYEE TOLD ME THAT SHE HAS RECEIVED ORDERS FOR ACTIVE DUTY. WHAT HAPPENS NEXT?

- Obtain a copy of the orders and share them with your FML Coordinator and Administrative Coordinator/Manager.
- Your FMLC and/or your Group Administrative Coordinator/Manager will work with your ER Advisor to determine the amount of leave due and if differential pay* is required.
- ER Advisor will ask Payroll to add the leave time to the timesheet. Depending on the type of leave, you may be asked to code the employee's timesheet. There are some instances where only Payroll can code the timesheet, but directions will be provided to you by your ER Advisor.
- The hours will become available once processed through a payroll.
- During Military Leave (paid or unpaid), your employee is not permitted to perform university duties.
- Employees placed on extended unpaid leave continue to accrue service time.



HOW ELSE CAN I SUPPORT MY EMPLOYEE BEFORE AND AFTER THEIR MILITARY LEAVE?

- Be flexible and supportive. Circumstances will not always allow an employee to give as much notice as you may prefer, and there may be instances where an employee is unable to immediately produce military orders.
- Welcome them back when they return.
- **REMEMBER TO THANK THEM FOR THEIR SERVICE!**

NON-DISCRIMINATION REMINDER

No employee who is a member of U.S. Armed Forces, a reserve component of the U.S. Armed Forces, or state military forces will be denied retention in employment, promotions, or other incidents or advantages of employment because of any obligation as a member of these units.

QUESTIONS?

Reach out to Employee Relations at hremployeerelations@uth.tmc.edu with questions on Military Leave and any other aspect of employment rights for our employees serving in the military.

Military Leave Process

Prior to Leave

EE notifies/provides order to Supervisor/FMLC; orders kept in department personnel file



FMLC provides copy of orders to ER for review; FMLC sends military leave letter to employee; depending on type of leave and ER's approval, Payroll may populate balances in the timecard



FMLC requests PASS transaction through their department if EE goes on LWOP

Upon Return

Employee notifies Supervisor of reemployment within 90 days of service completion



Supervisor informs FMLC; FMLC requests PASS transaction through their department if EE was on LWOP



FMLC notifies ER if any questions concerning return from leave

*Note: Once ER confirms eligibility for differential pay, the Department will coordinate with Payroll using the Extended Military Pay Form and Excel spreadsheet <https://inside.uth.edu/finance/system-data-resources/military-pay.htm>