



**Policy Title: Paid Military/Emergency Responder Leave**

**Policy Number: BU-PP 409a**

**Date Issued: May 1, 2018**

**Responsible Executive: Vice President for Human Resources**

**Date Last Revised: June 1, 2020**

**Responsible Office: Human Resources**

## **Paid Military / Emergency Responder Leave BU-PP 409a**

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### **Policy Statement**

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Baylor University (“Baylor” or the “University”) will provide up to 4 weeks (160 hours) of Paid Military / Emergency Responder Leave per federal fiscal year (October 1 to September 30).

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### **Reason for the Policy**

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Baylor University honors and supports employees who serve in state or national military branches or as an emergency responder and provides paid leave to those employees who serve our country.

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### **Individuals/Entities Affected by this Policy**

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Full-time employees who are in a benefit-eligible staff position

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### **Exclusions**

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Individuals, entities, or situations not governed by this policy

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### **Related Documents and Forms**

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#### **University Policies and Documents**

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- [400 Benefit Eligibility Classifications](#)
- [406 Non-Compensated Leaves of Absence](#)
- [408 Family and Medical Leave Act \(FMLA\)](#)
- [409 Military Leave](#)

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### **Applicable Law**

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State or Federal Law

1. Paid Military / Emergency Responder Leave (BU-PP 409a)

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**Forms and Tools**

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[Paid Military / Emergency Responder Request form](#)

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**Definitions**

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These definitions apply to terms as they are used in this policy.

<b>Timecard</b>	University approved means for reporting non-exempt hours worked and leave hours
<b>Active Duty</b>	Full-time duty in the active military service of the United States, including active duty or full-time training duty in the Reserve Component
<b>Active Duty For Training</b>	A tour of active duty that is used for training members of the Reserve Component to provide trained units and qualified persons to fill the needs of the Armed Forces in time of war or national emergency and such other times as the national security requires
<b>Inactive Duty Training</b>	Authorized training performed by a member of a Reserve Component not on active duty or active duty for training and consisting of regularly scheduled unit training assemblies, additional training assemblies, periods of appropriate duty or equivalent training, and any special additional duties authorized for Reserve Component personnel by the Secretary concerned, and performed by them in connection with the prescribed activities of the organization in which they are assigned with or without pay
<b>FEMA Reservists</b>	A type of Incident Management responder, hired under The Stafford Act as temporary, intermittent employees. These employees can deploy to perform disaster field activities directly related to specific disasters, emergencies, projects, or activities of a non-continuous nature.
<b>Texas Disaster Responder</b>	An employee who is a certified disaster service volunteer of the American Red Cross and who registered with and deployed under the authority of the Texas Division of Emergency Management

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## Contacts

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Subject	Contact	Telephone	Office email/web site
Policy Questions	Human Resources	254-710-2000	<a href="mailto:askHR@baylor.edu">askHR@baylor.edu</a> <a href="http://www.baylor.edu/hr">www.baylor.edu/hr</a>

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## Responsibilities

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<b>Employee</b>	The employee shall provide their supervisor or department head a copy of their military or government emergency management orders and a completed Paid Military / Emergency Responder Request form.
<b>Supervisor/Department Head</b>	Once the supervisor or department head receives the Paid Military / Emergency Responder Request form, the form should be signed and forwarded to Human Resources along with the copy of the employee's military or government emergency management orders.
<b>Human Resources</b>	Review and approve the request for Paid Military / Emergency Responder Leave along with the accompanying military or government emergency management orders. Human Resources will coordinate the approval of Paid Military / Emergency Responder Leave with Payroll and the employee's supervisor.

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## Principles

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Paid Military / Emergency Responder Leave is available for service in a uniformed service which is defined as the performance of duty on a voluntary or involuntary basis in a uniformed service under competent authority. This service includes,

- a. Active duty
- b. Active duty for training
- c. Initial active duty from training
- d. Inactive duty training
- e. Full-time National Guard duty
- f. A period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty.

It is also available for federal, state, tribal, or local emergency management government agency (e.g., FEMA) employees in the performance of duty on a voluntary or involuntary basis under competent authority.

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## **Procedures**

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The desire for Paid Military / Emergency Responder Leave shall be reported as soon as possible to the employee's supervisor or department head. The employee shall provide their supervisor or department head a copy of their military or government emergency management orders and a completed Paid Military / Emergency Responder Request form. Once signed, by the supervisor or department head and the employee, the Paid Military / Emergency Responder Leave Request form along with a copy of the military or emergency management orders must be forwarded to Human Resources. If advance notice of such desire is impossible, unreasonable, or precluded by military or emergency management necessity, the employee is permitted to provide documentation upon return from military or emergency management leave. However, it is generally recognized that modern communications systems permit such notice. In any event, Baylor requests such notice as soon as possible to permit proper accounting and to reduce the risk of interruption of pay.

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## **Tracking of Paid Military / Emergency Responder Leave**

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Paid Military / Emergency Responder Leave is tracked using the processes and systems put in place by the University.

The employee may carry forward up to 480 hours unused Paid Military / Emergency Responder Leave to the next federal fiscal year.

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## **Payment**

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Payment for Paid Military / Emergency Responder Leave to bi-weekly (non-exempt) employees is included in the regularly scheduled paycheck provided that the Timecard and comments were submitted with the employee's time record and approved in accordance with University policy. The employee will not be paid for hours off in excess of accrued Paid Military / Emergency Responder Leave hours unless they have other available paid leave available.

Payment for Paid Military / Emergency Responder Leave will not exceed the compensation for scheduled hours per week approved for the position. Paid Military / Emergency Responder Leave may not be donated to another Baylor employee.

Deductions for partial week absences due to Military / Emergency Responder Leave will not be made to an employee's salary for monthly (exempt) employees in accordance with the Fair Labor Standards Act (29 C.F.R. 541.602). Paid Military / Emergency Responder Leave for monthly (exempt) employees, to the extent hours are available and the

employee complies with this policy, permits the employee to continue to receive Baylor salary during paid leave.

An employee who does not meet FMLA standards and has exhausted the allowable Paid Military / Emergency Responder Leave may submit a formal request for a Non-Compensated Leave of Absence in accordance with BU-PP 406, provided that they have exhausted all other available accrued paid time off. An employee who meets FMLA standards may continue unpaid leave after exhaustion of Paid Military / Emergency Responder Leave and other accrued paid time off.

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### **Holiday and Other University Closures**

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If an official University holiday occurs during the employee's Paid Military / Emergency Responder Leave, the employee will receive holiday pay in lieu of Paid Military / Emergency Responder Leave, provided the employee is in pay status the day before and the day after the official University holiday. The employee should record their time for these days as Holiday pay.

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### **Separation from Service**

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Upon separation from service with Baylor University, unused Paid Military / Emergency Responder Leave has no cash value in the employee's final pay.

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### **Policy Changes**

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Temporary emergency modifications of this policy may be made at the discretion of the Chief Human Resources Officer based on business needs and/or associated with a natural or manmade disaster.