

TITLE	Military Leave		
NUMBER	NH-HR-4065	Last Revised/Reviewed Effective Date:	March 2019
TJC FUNCTIONS	HR		
APPLIES TO	<p>Novant Health: Hospitals, NHMG, Freestanding Imaging Centers, Freestanding Surgery Centers, Rehabilitation Centers, Pharmacy Services, Corporate Departments and Entities, Foundations, Auxiliaries, and Finance Focused</p> <p>NH UVA: HAMC, PWMC, Caton Merchant House, Cancer Center, NHMG, Prince William Foundation, Prince William Health Physician Services</p>		

I. SCOPE / PURPOSE

The purpose of this policy is to comply with the Uniformed Services Employment Rights Act of 1994 (USERRA) which applies to all employees regardless of employment status.

II. POLICY

Military Leave of Absence

Novant Health and The Hartford Insurance Group recognizes and supports our employees who serve our country. We are committed to protecting the job rights of employees absent on military leave. No employee or prospective employee will be discriminated against on the basis of membership in or service to any of the Uniformed Services of the United States.

Military leaves, whether voluntary or involuntary, are administered in accordance with the Uniformed Services Employment Rights Act of 1994 (USERRA). An employee requesting military leave should be referred to the Hartford Insurance Group at 1-800-549-6514 for an explanation of military leave. The Hartford will notify leave management human resources of the employees need for military leave. Human resources will send the employee a military leave of absence will not work agreement to complete along with information on benefit continuation and re-employment procedures.

III. QUALIFIED PERSONNEL

N/A

IV. EQUIPMENT

N/A

V. PROCEDURE

The procedure serves as a guideline to assist personnel in accomplishing the goals of the policy. While following these procedural guidelines personnel are expected to exercise judgment within their scope of practice and/or job responsibilities.

Requesting a Military Leave of Absence

1. The Hartford Insurance Group and Novant Health will request a copy of the military leave orders. Novant Health human resources will request that a “will not work agreement be signed and returned”.2. The leave management department of human resources will process the on-line status change form placing the employee on military leave.

Recording Military Time

- The employee should notify the timekeeper for their department their preference regarding their pay during this time. The employee has the option of using paid time off (PTO) accrued prior to the start of the leave. The employee may bank his or her PTO until he or she returns from leave, as explained under HR Policy #4015 Paid Time Off. Military leave time will be recorded as follows: For non-exempt employees, no code is required unless paid time off is used in which the PTO code should be used. If no paid time off is to be used, please call the HR Service Center at 1-800-890-5420 to have a ticket escalated to the internal leave management department so that the proper payroll code is applied to the employee’s time card.

For exempt employees, time will be coded PTO if PTO is used or LW for leave without pay. If an exempt employee is on military leave for a partial week, the employee may use available PTO for the absence, or Novant Health may deduct the amount of military pay from the days not worked.

Employee Benefits The employee and his or her eligible dependents will remain eligible for the Novant Health benefits program while the employee is on military leave and after the employee’s return to work. However, certain plans do not pay benefits for injuries or death as a result of war. Accordingly, the employee should consult with a benefit analyst in the HR Service Center (1-800-890-5420) before making benefits decisions. The employee will receive a packet from the internal leave management department of human resources describing the benefit continuation options.

Returning to Work

An employee returning from Military Leave is eligible for reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994. The employee must contact their leader to notify them of their expected return date (specific timeframes below) and should also contact The Hartford Insurance Group at 1-800-549-6514.

The Uniformed Services Employment Rights Act (USERRA) specifies the following time table for the employee to return to work upon conclusion of leave:

- Next week day if leave duration is fewer than 31 days;
- Within 14 days if leave duration is between 31 and 180 days;
- Within 90 days if leave duration is more than 180 days.

1. If the leave is 31 days or longer, the employee must contact his or her leader and The Hartford Insurance Group no later than five days after the leave has ended to

confirm a return to work date unless that is not possible. If the employee is unable to contact the leader and The Hartford Insurance Group within the specified five day period, the employee should contact the leader and The Hartford Insurance Group at their earliest opportunity. Upon the employee's return the leave Management department of human resources will complete the on-line status change form returning the employee to active status.

2. The employee will be asked to provide military orders and discharge documentation at this time.
3. If the employee's previous position is not available, the employee will work directly with the Talent Acquisition Supervisor to identify another position for which the employee is eligible and qualified.
4. If the employee declines an offer of an appropriate position, Novant Health will have fulfilled its obligation and the employee will be terminated.
5. Leaders who have questions regarding the Military Leave Procedure should contact The Hartford Insurance Group at 1-800-549-6514.

Returning With Work Restrictions

An employee may wish to return to work before he or she can perform all of the essential functions of his or her job. The following procedure will apply when an employee returns to active employment with work restrictions:

1. The employee will present to EOH a list of specific work restrictions and length of time the restrictions are to last as determined by a physician.
2. The employee, the home department leader, and EOH/Accommodations Coordinator, as appropriate will determine if the employee's restrictions allow the employee to perform all of the essential functions (with or without reasonable accommodation) of the position held at the time the leave began. If available, they will return to their same position in their home department. If not, the employee returns to a like position in another department. If the employee's position is no longer available and/or employee's restrictions prevent the employee from performing the essential function (with or without reasonable accommodation) of the previously held position, the employee will be referred to the Accommodations program to identify a position for which the employee is eligible and qualified.
 - It is the expectation that the home department will temporarily accommodate employee if at all possible.
 - If the employee cannot be temporarily accommodated while searching for a job, employee may use PTO, sick bank or other available leave.

The recruiter will work with the employee and EOH/Accommodations Coordinator to identify jobs within Novant Health which the employee is eligible and qualified and can perform all of the essential functions with or without reasonable accommodation.

VI. DOCUMENTATION

N/A

VII. DEFINITIONS

USERRA: the Uniformed Services Employment Rights Act of 1994

VIII. RELATED DOCUMENTS

Paid Time Off Policy

IX. REFERENCES

Uniformed Services Employment Rights Act of 1994

X. SUBMITTED BY

Marilyn Gilliam, VP Talent Acquisition & Retention

XI. KEY WORDS

Military, service, leave, USERRA

XII. INITIAL EFFECTIVE DATE	8/5/93
DATES REVISIONS EFFECTIVE	12/97, 8/99, 7/01, 9/01, 4/02, 9/02, 5/03, 8/03, 3/04, 1/08, 11/10, 1/15/2013, 07/15/2016, 03/01/2019
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Date Due for Next Review	March 2022

SIGNATURE SHEET

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APPLIES TO	Novant Health: BMC, FMC (FMC main, CMC, KMC & all other locations), HMC, MMC, MPH, MHMC, PMC (PMC main, COH & all other locations), RMC, TMC, NHMG, Freestanding Imaging Centers, Freestanding Surgery Centers, Rehabilitation Centers, Pharmacy Services, Corporate Departments and Entities, Foundations, Auxiliaries, and Finance Focused NH UVA: HAMC, PWMC, Caton Merchant House, Cancer Center, NHMG, Prince William Foundation, Prince William Health Physician Services
ACTION	Revised

APPROVED BY:

Title	Approved By	Signature	Date
Senior Vice President of Human Resources	Janet Smith-Hill		See electronic approval

COMMITTEES APPROVED BY:

Committee	Chairperson/Designee	Date
N/A		