

## **Military Leave Policy Amendments**

In light of the events of September 11, 2001, University Policy 6.9, Time Away From Work, Section on Military Leave, is being amended effective January 1, 2002 through December 31, 2019 by adding the following pay and benefits provisions for those staff members called to active military duty. Aside from these departures, all other provisions of the Military Leave Section of University Policy 6.9, Time Away From Work, remain in effect.

### **■ Pay**

When a staff member is on active military duty, the college/unit will pay the difference between his/her military pay received from the United States Government and/or the State of New York, and the base pay he/she would have received from the college/unit had his/her employment not been interrupted by active military duty. Such differential pay shall be provided for up to a maximum of 90 calendar days. In the event military pay exceeds or equals the staff member's base salary, no differential pay will be provided.

### **■ Use of Catastrophic Leave Donation**

In the event a staff member exhausts 90 calendar days of differential pay, and such staff member has also exhausted his/her vacation accruals, this amendment authorizes the local human resources representative to inform college/unit staff that voluntary donations of vacation accruals are being accepted on behalf of the staff member in accordance with the procedures outlined in the Catastrophic Leave Donation section of University Policy 6.9, Time Away From Work. Vacation accruals donated in this situation would be used to continue the staff member's differential pay beyond 90 calendar days. The general procedures and guidelines that already appear in the catastrophic leave donation policy and those that are already in place at the college/unit level should be applied in the case of vacation donations for military leave, keeping in mind that the definition of catastrophic event has been modified to allow for coverage under the circumstances described here. Donations of health and personal leave are not included as part of this provision.

## **Benefits**

### **■ Health Insurance**

The university will discontinue the staff member's health insurance under the assumption that the staff member will be covered by TriCare, the military coverage while on active duty. However, any family members will be retained on Cornell's health plan for a period of time as described below:

Endowed families will be continued with a university contribution to the premium until the staff member returns to work, terminates his/her employment, or in five years, whichever event occurs first. The staff member's family will be billed for their coverage on a quarterly basis.

Contract college families will be continued under the NYSHIP health plans for one year with no premium charge if the employee had health coverage with the plan for at least 30 days prior to activation in the military. This coverage has been extended beyond the 12-month year limit and will end at such time as the employee returns to pay status, or fails to resume employment in a contract college or New York State position in a timely fashion, or December 31, 2019, whichever occurs first.

### ■ Summary of Benefits

A summary of benefits for endowed and contract college employees can be found on the Office of Human Resources website under "Benefits for Change in Job Status," at [hr.cornell.edu/benefits-pay/benefits-enrollment](http://hr.cornell.edu/benefits-pay/benefits-enrollment).

### ■ Procedures

If a college/unit has a staff member who is on active military duty the college/unit should do the following:

1. Request a copy of the active duty call-up "orders" from the staff member in order to set the start date for the differential pay. If the orders are not available (e.g., if the staff member was called too quickly to obtain them), then begin the differential pay the first day after the staff member's last day of work.
2. Determine the rate of pay the staff member will be receiving from the military. To determine this, departments will need to request documentation from the staff member (e.g., military pay stub) of the amount of military pay that will be provided. **Note:** The staff member will be placed on an unpaid military leave until some type of documentation of the amount of military pay is received.
3. Determine the differential rate of pay that the department should provide to the staff member for up to 90 calendar days of military leave by calculating the difference between the military pay and the base wage normally received from the department.
4. Submit an HR/Payroll system transaction indicating the individual's first day of military duty (the first day after his or her actual last day of work at the university). The action should be indicated as a "Paid Leave of Absence" with a reason of "Military Service." The compensation should reflect the differential rate of pay (as calculated in Step 3) for which the individual will be paid during the first 90 days of military service. In the case of a nonexempt employee, the differential pay may be reflected as an "add ongoing" amount to be paid for each biweekly pay period during the designated start and end dates. Using this method is an exception to the normal process of using Kronos to pay nonexempt employees and presumes that the nonexempt employee will not be recording time worked for the university during the designated dates of the military leave period. After 90 calendar days, the individual should then be placed on a leave of absence/military service in the HR/Payroll system, which is an unpaid leave. The department is responsible for monitoring the 90 calendar day period and updating the military leave status in the HR/Payroll system. When the employee returns to active

status at the university, the department must end the military leave status, returning the individual from the military leave. Be sure to indicate the correct hourly rate or annual salary the person is to be paid upon return. During the Leave of Absence/ Military Service (paid or unpaid), the individual will be billed for the benefits in which he or she is enrolled.

[Back To University Policy 6.9, Time Away From Work](#)

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