



**RESOLUTION TO RESCIND
MILITARY (UNIFORMED SERVICE) LEAVE POLICY, 3356-7-12**

WHEREAS, University Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby rescind University Policy stated above and attached hereto.

**Board of Trustees Meeting
June 24, 2025
YR 2025-73**

TO BE RESCINDED

3356-7-12 Military (uniformed service) leave.

Responsible Division/Office: Human Resources
Responsible Officer: VP for Human Resources
Revision History: October 1998; December 2010; March 2015;
March 2020; March 2025; June 2025
Board Committee: University Affairs
Effective Date: June 24, 2025
Next Review: N/A

- (A) Policy statement. Youngstown state university recognizes the need to have a policy that addresses the employment and reemployment rights of full and part-time employees who serve in the uniformed services. It is the policy of the university to comply with the Uniformed Services Employment and Reemployment Act of 1994 (“USERRA”), as revised, and applicable state laws which protect job rights and benefits for veterans and members of the reserves.
- (B) Purpose. The purpose of this policy is to demonstrate the university’s support for its employees who are part of the uniformed services and to outline the rights and responsibilities of such employees.
- (C) Scope. This policy applies to permanent public employees who are performing service in the uniformed services as defined in section 5923.05 of the Revised Code.
- (D) Definition, as defined in section 5923.05 of the Revised Code:
 - (1) “Uniformed services means the armed forces; the Ohio organized militia, when engaged in active duty for training, inactive duty training, or full-time national guard duty; the 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.”
 - (2) “Permanent public employee” means any person holding a position in public employment that requires working a regular schedule of twenty-six consecutive biweekly pay periods or any other regular

schedule of comparable pay periods which is not limited to a specific season or duration. Permanent public employee does not include student help, intermittent, seasonal or external interim employees, or individual covered by personal services contracts.

(E) Parameters.

- (1) Employees defined in this policy are eligible for uniformed services benefits and reemployment rights in accordance with state and federal law.
- (2) Leaves of absence for service in the uniformed services shall be granted in accordance with Chapters 5903. and 5923. of the Revised Code and Chapter 123:1-34 of the Administrative Code.
- (3) Reinstatement and reemployment of employees in the uniformed services shall be in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301, et seq.) and Chapter 123:1-34 of the Administrative Code.
- (4) Generally, permanent public employees, as defined in section 5923.05 of the Revised Code, who are members of uniformed services, as defined in paragraph (D) of this rule, are entitled to a leave with pay for such time as they are performing service in the uniformed services for up to one month, as defined in 5923.05, in any calendar year. Paid leave may not exceed one hundred seventy-six hours in any calendar year.
- (5) Any permanent public employee called to the uniformed services for a period in excess of one month (one hundred seventy-six hours) because of an executive order issued by the president of the United States or because of an act of congress or because of an order to perform duty issued by the governor, pursuant to section 5919.29 or 5923.21 of the Revised Code, may receive during this period the difference between the employee's gross monthly wage or salary from the university and his/her gross uniformed service pay and allowances received in a particular month.
- (6) Leave without pay will be granted in the event of voluntary or involuntary induction into uniformed service and in compliance with federal and state statutes.

- (7) Employees on uniformed service leave without pay beyond thirty days have the right to elect continuation of health care coverage for up to eighteen months, but will be responsible for the full premium for the coverage elected. Employees on uniformed service leave without pay for up to thirty days will be given the option of making direct payments of the employee's share of the health insurance premium.
- (8) Employees who accrue more than five years of cumulative uniformed service leaves of absence are excluded from university reemployment and fringe benefit rights, except as provided in 38 U.S.C. 4312, as amended.