

BOARD OF REGENTS
BRIEFING PAPER

1. Agenda Item Title: Handbook Revision-Clarification of Military Differential Compensation—Title 4, Ch. 3, Sec. 17

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

At the June 2007 meeting the Board made permanent the temporary policy granting differential pay to members of the Federal Reserve Forces or the Nevada National Guard who officially receive orders to serve. The temporary policy must be codified in the Board of Regents Handbook in Title 4, Ch. 3, Sec. 17 and a minor amendment of the current language in the Handbook is needed. Subsection 1 of the current policy must cross-reference the policy on military differential pay in the new Subsection 5 to clarify that after the initial 15 days of regular compensation, the staff member will receive the differential compensation.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Amend Title 4, Chapter 3, Section 17, Military Leave, by inserting the military differential compensation policy from the Procedures and Guidelines Manual. Amend Subsection 1 to cross-reference the policy on military differential pay.

4. IMPETUS (WHY NOW?):

The Board made the differential compensation policy permanent in June 2007, but this clarification is still needed.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- The military differential compensation policy was made permanent by the Board at its June 2007 meeting.
- The existing policy needed to be clarified to insure that professional staff on “military leave without pay” after they serve the initial fully compensated 15 working days, will receive the differential pay.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None—this is merely the codification of the temporary policy with a minor clarification.

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

None.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #_ Chapter #_ Section #_
- Amends Current Board Policy: Title # 4 Chapter # 3 Section # 17
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: Makes permanent temporary policy in Procedures and Guidelines Manual, Ch. 13. Sec. 1
- Fiscal Impact: Yes _____ No X
Explain: _____

POLICY PROPOSAL
TITLE 4, CHAPTER 3, SECTION 17
Military Pay Differential Policy

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Section 17. Military Leave

1. Professional staffs who are members of Federal Reserve forces or the Nevada National Guard are entitled to serve under orders without loss of regular compensation for a period not to exceed fifteen working days in any one calendar year. Such military leave of absence shall be in addition to any vacation or sick leave to which such staff member might otherwise be entitled. Authorized military leave of absence without salary (*except for the differential compensation provided in Section 17.5 below*) shall be granted for periods in excess of fifteen working days.

2. In accordance with federal law, 38 U.S.C. Sec. 2021 et seq. professional staff members who serve under orders on training duty in the Armed Forces of the United States, including the federal reserve forces or the National Guard, shall be entitled to such rights and privileges regarding reinstatement to employment, seniority, status and pay, as is provided for in federal and Nevada statutory law.

3. In time of war or national emergency, leave without pay may be granted to a professional staff member who is called or volunteers to serve in federally sponsored scientific research and development projects, provided no such leave may be granted to any staff member who would not have been continued in employment in the NSHE at the termination of the period of employment current at the time of the staff member's entry into such defense work and further provided that no such leaves are ordinarily granted to persons performing such work under a government contract with the NSHE. Such leave terminates ninety days following the end of the war or national emergency, or the date of the professional staff member's termination of such work, whichever is earlier. Upon application for reinstatement to employment within such ninety-day period, the professional staff member shall be restored to the staff member's previous employment position or to a position of like seniority, status or pay, unless circumstances in the employing institution have so changed as to make such reemployment impossible or unreasonable.

4. Professional staff members applying for military leave must present a copy of their military orders or other substantial evidence pertaining to their active or training duty requirements or employment in defense work. Certified copies of discharge papers or other evidence pertaining to discharge or termination must be submitted to the appropriate Business Center Personnel Office for reinstatement.

5. Professional staff who officially receive orders to serve as members of federal reserve forces or the Nevada National Guard will be compensated for the difference in their NSHE pay and their military pay through the end of their employment contract. The differential compensation will

commence immediately following the 15 working days of regular compensation provided for in Title 4, Chapter 3, Section 17, Subsection 1.

The institution at which the professional staff member is employed will continue making retirement contributions for eligible employees in accordance with the RPA plan document. At the request of the employee, other employment benefits – including but not limited to health insurance – will be continued through the contract year at the same cost that the employee is currently paying.

(B/R 1/91)