

PROCEDURE FOR California Military Spouse Leave

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Procedure Introduction

Employees should request leave under this policy within two business days of receiving official notice that the spouse will be on leave; the employee must submit a written notice of intent to take this leave to his/her manager. A faculty member will submit this written notice of intent to the department chair (who will notify both the dean and the Provost’s office). The employee must also submit a copy of the orders for his/her spouse certifying that the spouse will be on leave from deployment during the time of the employee’s leave.

When these procedures are followed, managers cannot deny such leave requests. Further, it is unlawful to retaliate or discriminate in any way against a qualified employee for exercising his/her rights under this law.

Supervisors and Deans or Department Chairs with questions regarding the application of this policy should consult the HR Service Center for additional guidance.

Responsibilities

Click or tap here to enter the units or individuals who are responsible for aspects of the policy. Summarize the major responsibilities – the “what” but not the “how” of the responsibility.

POSITION or OFFICE	RESPONSIBILITIES
HR Service Center	1. Support the employee, supervisors and Deans or Department Chairs with questions and application of the policy
Human Resources Partner (“HRP”) or Leave Administration Specialist (“LAS”)	1. Ensures employee has the appropriate forms, if applicable, and information for understanding their personal leave 2. Collects the required forms, if applicable, and places the employee on the appropriate leaves 3. Manages the use of Sick Time Accruals and/or Vacation Time Accruals and/or PTO Time Accruals and/or Winter Recess Accruals 4. Manages the return-to-work process
Leave Administration Department	1. Revises the policy based on changes in State and Federal legislation 2. Manages escalations received from HRP and LAS.

Procedure Details

Action #	Responsible Stakeholder	Details
1.0	Employee	Discuss time off with the Supervisor or Dept. Head
2.0	Supervisor	Ask the Employee to contact HR Service Center or HR Partner

3.0	Human Resource Partner (“HRP”) or Leave of Absence Specialist (LAS)	Provide guidance on time-off
4.0	HRP or LAS	Submit time-off request in Workday
5.0	Supervisor; LAS; HR Partner	Approve time-off request
6.0	Employee	Notify Supervisor/ HR Partner/ LAS of return to work or if additional time-off is needed

Definitions

Term	Definition
Qualified Member	<p>A person who is any of the following:</p> <ol style="list-style-type: none"> 1. A member of the Armed Forces of the United States who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States. 2. A member of the National Guard who has been deployed during a period of military conflict. 3. A member of the Reserves who has been deployed during a period of military conflict.
Qualified Employee	<p>A person who satisfies all of the following:</p> <ol style="list-style-type: none"> 1. Is the spouse of a qualified member. 2. Performs service for hire for an employer for an average of 20 or more hours per week but does not include an independent contractor. 3. Provides the qualified employer with notice within two business days of receiving official notice that the qualified member will be on leave from deployment of his or her intention to take the leave provided for in subdivision (a). 4. Submits written documentation to the qualified employer certifying that the qualified member will be on leave from deployment during the time the leave provided for in subdivision (a) is requested.
Spouse	A legally married partner of the same or opposite sex and includes a registered domestic partner.
Qualified Employer	Any individual, corporation, company, firm, state, city, council city, and county, municipal corporation, district, public authority, or any other governmental subdivision that employs 25 or more employees.
Qualified Leave Period	<p>The period during which the qualified member is on leave from deployment during a period of military conflict.</p> <ol style="list-style-type: none"> 1. A qualified employer shall not retaliate against a qualified employee for requesting or taking the leave provided for in this section. 2. The leave provided for in this section shall not affect or prevent a qualified employer from allowing a qualified employee to take a leave that the qualified employee is otherwise entitled to take.

	3. This section shall not affect a qualified employee’s rights with respect to any other employee benefit provided for in other laws.
Military Conflict	<ol style="list-style-type: none"> 1. A period of war declared by the United States Congress. 2. A period of deployment for which a member of a reserve component is ordered to active duty pursuant to the California Military & Veteran Code 395.10.

Compliance

USC expects all employees, supervisors, Deans of Faculty, Department Chairs, and HR Partners to act in good faith when requesting and approving leaves of absence and time-off under this policy. In the event USC becomes aware that actions taken do not align with the policy, corrective and disciplinary steps may be pursued.

Relevant Forms and Tools

- [Faculty Handbook](#)
- [Paid Staff Vacation Policy](#)

Contacts

Please direct any questions regarding this procedure to:

OFFICE	PHONE	EMAIL
HR Service Center	(213) 821-8100	uschr@usc.edu
Leave Administration Specialist (“LAS”)	(213) 821-8100	uschr@usc.edu
Leave Administration	(213) 821-8100	leaveadmin@usc.edu