20 NCAC 02N .0215 MILITARY SERVICE

(a) Any member who enters the armed forces may take a military leave of absence as provided by Paragraph (b) of this Rule, continue to receive service credit as provided by Paragraph (c) of this Rule, or withdraw from the pension fund and seek a refund.

(b) To take a military leave of absence a member shall provide written notice to the office of the Director that the member is taking such leave. The member shall specify in the notice the branch of the armed forces the member is entering and the expected dates of entry and discharge. The member shall deliver the notice to the office of the Director no later than six months after the member ceases service as an eligible firefighter or an eligible rescue squad worker, whichever is applicable, or the member will be deemed to have withdrawn from the pension fund. No member may remain on military leave of absence for more than one normal draft or enlistment period, whichever is applicable. Any member who has taken a military leave of absence shall commence service as either an eligible firefighter or an eligible rescue squad worker within six months after the expiration of a normal draft or enlistment period, whichever is applicable, or within six months after the member's discharge if that occurs earlier, or else the member will be deemed to have withdrawn from the pension fund.

(c) Any member who enters the armed forces shall continue to receive service credit if the member notifies the office of the Director in writing of the member's intent to do so and if the member continues to make monthly payments required by G.S. 58-86-35 or 58-86-40. Credit for time served in the armed forces is limited to one normal draft or enlistment period, whichever is applicable.

History Note: *Authority G.S. 58-86-10;*
Eff. June 1, 1988;
Recodified from 03 NCAC 03 Eff. May 1, 1993;
Amended Eff. December 1, 1993;
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