

MILITARY LEAVE POLICY

Page Number: **Effective Date:** **Reviewed with No Changes:**

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April 1, 2006

03/01/2007

Purpose: *The Okolona Fire Department employees in the military reserve and the National Guard may be called to active duty. The Department is very proud of its employees who serve our Country and wants to ensure that employees who are called to duty are given all rights provided under County, State and Federal laws. During these difficult times, it is important that affected employees know how their pay, leave and benefits will be affected.*

Policy:

1. This policy applies to employees in the Military Reserve or National Guard who are involuntarily called to active service for more than two (2) weeks. Those employees in the military reserve or National Guard who are called to active service for two (2) weeks or less, such as weekend drill or summer camp will continue to be deemed employees with no changes in benefits and they shall not receive salary unless they use Holiday, Vacation or Military leave time to cover the absence.
2. After completing probationary period and Emergency Medical Technician Certification, each employee in the Military Reserve or National Guard will be awarded 120 hours on a 24/48 schedule or 80 hours on a 40 hour schedule. These military leave hours can only be used from the first day of January to the last day of December, of the same year and may NOT be carried over.
3. An employee who leaves for mandatory military service for longer than two weeks, will not accrue vacation leave, holiday leave or emergency leave during a period of military service.
4. Under Federal and State law, an employee is entitled to reinstatement after military service if proper guidelines are met. (See The Uniformed Services Employment and Reemployment Rights Act)
5. The employee must return to full duty no later than thirty (30) days after completing active service if such service was longer than two (2) weeks, otherwise the employee shall return to full duty immediately. The 30 day period may be extended by the board of trustees on a case by case basis if the employee became ill or was injured in the course of service.
6. An employee is entitled to the following when returning to duty:
 - the same job or the job that the employee would have had
 - accrued seniority, service increments and proficiency advancements, or noncompetitive promotions that the employee would have received if the employee had not left for military service
 - protection against dismissal or termination, except for cause
 - training or retraining to make the employee able or qualified to do the job if the job requirements have changed during the period of military service
 - employment in a position of lesser status and pay, but with full seniority, if the person cannot become qualified to perform the previous job
 - reasonable efforts to accommodate a temporary or permanent disability that occurred or was aggravated during the military service
 - credit toward vesting under the employee's retirement plan for the period of military service
 - credited service for retirement if the employee makes up any required employee contributions;
 - the same increment date that the employee had before the employee's military leave; and

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7. Employees who are called to active duty may continue their coverage under the same benefit elections in effect prior to their military leave. Employees are responsible for their share of the benefit costs during their military leave.

8. Employees who enter military service for longer then two (2) weeks may continue to receive their group insurance coverage by paying their share of the benefit costs for 60 days. Afterwards, they may elect to continue coverage under COBRA for an additional 18 months by paying 100% of the total premium.

9. Upon return to work, payroll deductions applicable to the benefit elections in effect will commence automatically.

10. **What to do if you are called to active duty**

Please contact the Department immediately and provide copies of all information you have received related to your call to active duty, including your orders and information related to your military pay and allowances.

Upon return from active duty, please contact the department immediately.

11. **What the department should do if an employee is called to active duty**

If the absence is longer than two (2) weeks, the employee will be carried as on Military Leave during the period with the approved leave request form constituting the employee's timesheet for the duration of the absence.

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