



<b>Policy 5.7</b>	<b>Military Leave</b>		
<u>Effective Date:</u> 9/14/10  <u>Last Amended Date:</u> 2/28/12	<u>Applicable Law/Statute:</u> Pub.L. 103-353; 38 U.S.C. §§ 4301–4335	<u>Source Doc/Dept.:</u> None/HR	<u>Authorizing I.C. Sec:</u> None

## **MILITARY LEAVE**

**5.7**

### **POLICY**

It is the policy of DuPage County to comply with all applicable Federal and State laws in granting Military Leave to employees who voluntarily or involuntarily serve, or are reserve members of, the United States Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, and/or the Commissioned Corps of the Public Health Service, and others designated by the President of the United States in time of war or emergency.

### **ELIGIBILITY**

- All full-time and part-time employees under County Board Jurisdiction.

### **GUIDELINES**

- A.** In accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), the County is obligated to release employees for service with the Armed Forces when the employee participates in:
  1. Annual Training (Summer Camp)
  2. Active Duty of Training (School)
  3. Inactive Duty Training Assemblies (Weekend drills)
  4. Extended leave of absence for voluntary active duty service (Enlistment)
  5. Involuntary call-up
- B.** Military leave of absence shall not result in a loss of seniority status or benefits, which would have normally accrued if the employee had not been absent for such purposes.
- C.** In accordance with Federal law, a military leave of absence shall have a 5-year limit (with some exception) on the cumulative length of time an employee may serve in the military and remain eligible for reemployment.

- D. The County is not required to provide additional work hours to compensate for military leave.
- E. During time of war, the County Board will adopt a resolution indicating any special exemptions or considerations to be put into practice.

**PROCEDURES**

1. Any regular full-time or regular part-time employee who enlists, is drafted or is called to active/inactive duty shall immediately notify their supervisor verbally or in writing prior to departure for military service.
2. An employee who is called to uniformed service shall provide a copy of official orders as soon as available reflecting the length and character of the service to their Supervisor or Department Head or the Human Resources Department.
3. In accordance with applicable law(s), the employee shall be compensated for the difference between the payment received from the military and their compensation paid by the County. The employee may request the use of vacation, compensatory time, or leave without pay to supplement absences; however, they are not required to do so.
4. The employee’s insurance benefits will continue through their military leave period, unless the employee decides to discontinue the benefits.
5. If the employee has discontinued their insurance benefits during military leave, coverage will be immediately reinstated, without a waiting period, following the employee’s return.
6. The employee will continue to accrue vacation and sick leave. Vacation, sick leave and floating holidays that were unused at the time the military service began will be resumed upon the employee’s return.
7. In accordance with Federal law, upon completion of the period of military service, the returning employee shall notify their supervisor that they intend to return to employment. The employee will provide documentation to the length and character of their uniformed service. The length of time the employee has to contact their supervisor depends upon the amount of time spent in service as explained below:

Length of Absence from Employment Due to Uniformed Service	Deadline for Applying for Re-employment
Less than 31 days or to take an exam to determine fitness for military service	Employees have <b>eight hours</b> following their return from service to report for their next scheduled work period
Between 31 and 180 days	Employees will have <b>14 days</b> following their return from service to apply for reemployment
More than 181 days	Employees have <b>90 days</b> following their return from service to apply for reemployment

8. The employee shall submit to their supervisor their military pay voucher, or equivalent, which details the amount of payment received for the military leave as soon as possible.
9. An employee's compensation shall reflect any adjustments made to their classification during the leave, excluding merit increases.