

**LEGISLATIVE #  
110035B**



## Military Leave

### I. General:

The City will grant a military leave of absence with pay to any employee called to temporary active or inactive duty for training purposes with the National Guard, or a reserve unit of the United States, or for attending evening or weekend military training which conflicts with his/her work schedule. Effective July 1, 2010, time off shall be granted for the purposes of attending the military training for a period not to exceed 240 hours (thirty (30) 8-hour working days) in any one calendar year.

### II. Reserve or Guard Active Military Service (not annual training):

The City shall grant a military leave of absence to any employee called to active military service (not annual training) or state active duty with the National Guard, or a military reserve unit of the United States. For the purpose of active military service (not annual training) or state active duty the first thirty (30) calendar days of any such leave of absence shall be with full pay from the City.

### III. Military Leave Without Pay:

The employee should submit a copy of orders or statement from the appropriate military commander as evidence of such duty to his/her Department Head. The orders or statement should be attached to a Personnel Authorization Form requesting military leave. The request should be sent to the Human Resources Department for processing. In the event military leave is required in excess of the time allowed in paragraphs I and II, the employee may be granted additional leave without pay or he/she may elect to use earned vacation (annual leave) or PTO. Vacation (annual leave) and PTO will not be required prior to allowing leave without pay.

### IV. Supplemental Pay

- A. Members of the National Guard or Reservists called to active military service (not annual training) may have, during their period of active military service, their military pay supplemented by an amount not to exceed their regular base City pay (e.g., no overtime, certification pay, educational incentive pay or special duty pay, etc.) for up to twelve (12) months immediately following the thirty (30) days full pay status as described in paragraph II. above.
- B. Supplemental Pay shall be defined as "Gross Military Pay" received for the period of active service subtracted from the employee's "Regular Base City Pay" for the same period. Proof of "Gross Military Pay" may be in the form of a "Military Leave and Earnings Statement" (pay stub) from the military or by a letter from the

commanding officer on official letterhead.. An attempt to use any other form of proof of military pay must be authorized by the Human Resources/Organizational Development Department. Proof of military gross pay must be submitted for each period in which the employee is claiming Supplemental Pay.

- C. Employees receiving Supplemental Pay are not entitled to accrue Sick Leave, Vacation (Annual Leave) or PTO.
- D. Employees receiving Supplemental Pay shall not be entitled to holiday pay during the period of such Supplemental Pay.
- E. Following the period of Supplemental Pay as described above, such employee may elect to use Annual Leave (vacation) or PTO provided that the such amount shall not exceed regular base pay as described above. The employee may also elect to go into a Leave Without Pay status and shall not be required to use paid leave.
- F. Said Supplemental Pay shall cease immediately upon termination of the period of active military service. Unless renewed by City Commission action, this subsection (IV) shall be repealed effective April 1, 2013.

## **v. Benefits**

An employee called to active duty has a certain number of days from receipt of notice of the opportunity to elect to continue or cancel coverage in City Health and Basic Life insurance plans the employee was enrolled in at the time of reporting for active duty. For those who elect to continue coverage, any premium amounts due from the employee will continue to be deducted from each payroll unless the military pay supplement, annual leave or PTO, as described in paragraph II above, is not sufficient to cover the cost of premium, in which case the employee will be responsible for making the payments directly. Failure to make these payments on time will cause the benefit coverage to be canceled.

### A. City Health Insurance and Basic Life Insurance

Members of the National Guard and Reservists called to active military service (not annual training), the City of Gainesville will continue to pay the City portion of the premiums for City health and basic life coverage. The employee will continue to be responsible for any amount the employee had been paying. This continued payment of insurance premiums by the City beyond the first thirty-one days is an enhancement of Federally required Uniformed Services Employment and Reemployment Rights Act (USERRA) benefits and shall cease immediately upon termination of the period of active military service if the employee does not return immediately to City employment. Unless renewed by City Commission action, this subsection (V. A.) shall be repealed effective April 1, 2013.

### B. Re-Enrollment

Any employee who elects not to continue City Health or Basic Life insurance coverage upon being called to active duty may re-enroll in that same coverage if the employee returns to work no later than ninety (90) calendar days after separation from military service by submitting an application to City of Gainesville, Risk Management within thirty-one (31) calendar days after returning to work. Generally, any waiting period and pre-existing condition provisions of any coverage will not apply.

Following April 1, 2013, employees must re-enroll within guidelines established under Federal law, which may generally be up to 90 days depending on circumstances.

Effective Date: 12/21/70  
Date Issued: 12/21/70  
Date Revised: 03/08/82  
Date Revised: 02/11/91  
Date Revised: 10/01/00  
Date Revised: 01/28/02  
Date Revised: 10/28/02  
Date Revised: 03/24/03  
Date Revised: 03/29/04  
Date Revised: 03/28/05  
Date Revised: 03/27/06  
Date Revised: 04/19/07  
Date Revised: 01/29/08  
Date Revised: 04/13/09  
Date Revised: 02/18/10  
Date Revised: 06/17/10  
Date Revised: 07/15/10  
Date Revised: 06/18/11  
Date Revised: 04/05/12