

CITY OF NORTON SHORES  
Military Leave Policy

Adopted: August 3, 2015

PURPOSE

To ensure employees who are members of the United States Armed Forces Reserves component receive sufficient support before, during, and following deployment when called to serve active duty in excess of 90 days.

INFORMATION

Employee rights are outlined in statutory law, most notably, but not limited to, the Uniformed Services Employment Rights Act of 1994 (USERRA). Military Reserve leave may be granted to regular employees who are members in good standing of a unit of the United States Armed Forces Reserves in order that they may fulfill reserve duty and/or active duty.

ACTIVE DUTY STATUS

Upon activation to service of active duty, the following provisions shall be followed;

1. An employee may be granted, upon giving notice to the appointing authority, a leave of absence without pay to enter military duty with the Armed Forces of the United States. Upon return from a period of military duty, the employee, upon honorable or satisfactory discharge, has reinstatement rights to the same or similar position. No single leave of absence or combination of uniformed service leaves of absence may exceed five (5) years. Continuation of health insurance and related benefits should be discussed with the Director of Administrative Services pertaining to uniformed service leave as addressed in the Uniformed Services Employment and Re-employment Rights Act.
2. The Uniformed Services Employment and Reemployment Rights Act of 1994 is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other "uniformed services:" (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present or future military service.

3. To be eligible for protection under USERRA, the employee must report back to work or apply for reemployment according to the following guidelines:
  - a. If an employee served fewer than 31 days or was away from the City of Norton Shores for other qualified reasons, the employee must return to work the next regularly scheduled work day.
  - b. If the employee served more than 30 days but fewer than 181 days, the employee must notify his/her supervisor of his/her intention to return to work within 14 days after completion of service.
  - c. If the employee served more than 180 days, the employee must notify his/her supervisor of his/her intention to return to work within 90 days after completion of service.
  - d. Upon notification of intent to return to work, the employee must provide military discharge documentation to his/her supervisor that establishes timeliness of application for reemployment and length of and character of the staff member's military service.
4. An employee returning from military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have obtained with continuous employment. In addition, time spent on active duty will be counted towards eligibility for FMLA once the employee has returned to work.
5. The Director of Administrative Services will serve as the point of contact between the agency and the employee.
6. The Director of Administrative Services will direct the employee on all human resource related questions he/she may have.
7. Out processing, including an exit interview will be with the Director of Administrative Services for those employees expected to be deployed longer than 90 days.
8. Employees serving 90 days or longer will be required to turn in all City-owned property for safe keeping until his/her return.
9. Any employee serving 90 days or longer will meet with Director of Administrative Services and Department Head or designee upon return to work for processing, including an interview.
10. Employees serving 90 days or longer may be required to complete all trainings missed during the employee's absence. Certifications are to be completed and documented by the employee upon return to work.

11. Communication between the deployed employee and the City of Norton Shores is extremely important. The Director of Administrative Services will maintain contact with the deployed employee. This communication can be done via the telephone or through e-mails. All attempts will be made to keep communication with the deployed member's family throughout the deployment.

#### RESERVE DUTY STATUS

Reserve Duty Leave may be granted to regular employees who are members in good standing of a unit of the United States Armed Forces Reserves in order that they may fulfill reserve duty. Such leave shall not be authorized as vacation or sick leave and shall in no case exceed 18 consecutive calendar days in any one calendar year. The City will supplement military reserve compensation up to the employee's normal scheduled compensation had he/she worked this period. Overtime compensation shall not be included as part of the scheduled work period. This provision shall be exercised only if the employee produces official evidence of compensation earned from the reserve unit within one week of his return to work for the City and upon approval of the City Administrator.