



CHAPTER: Leave Benefits

SUBJECT: Military Leave National Guard or Reserve, or service in the National Disaster Medical System

POLICY NUMBER: 4.706

PAGES: 2

**RELATED POLICIES:
260-1988**

**ENABLING RESOLUTION:
143-2005 267-2007
144-2005 269-2007**

**REVISION DATE(S):
2/88 11/88 3/97 8/05 12/07**

DEPARTMENT OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES

SPECIAL NOTES: This Policy/Procedures Manual does not in any way constitute an employment contract. Sedgwick County reserves the right to amend this Manual at any time subject only to approval by the Board of County Commissioners and the Governing Body of Sedgwick County Fire District Number One.

I. Purpose

The purpose of this Policy is to advise employees of their rights and obligations if they are members of the National Guard or active Reserves in compliance with The Uniformed Services Employment and Reemployment Rights Act (USERRA) or the National Disaster Medical System.

II. Policy

- A. No employee shall be discharged, denied retention in employment, any promotion, other incident or advantage of employment because of any obligation as a member of a Reserve or National Guard component of the U.S. Armed Forces or the National Disaster Medical System of the Federal Emergency Management Agency.
- B. Any employee who is a Reservist, member of the National Guard, or the National Disaster Medical System shall, upon notification to the Division Director, Department Head or Elected Official, be granted a leave of absence without pay for the period required to perform active duty or inactive duty.
 - 1. The notification to the Division Director, Department Head or Elected Official of orders to report for duty may take any form through any channels, and may precede written orders being received by the employee.
 - 2. The employee shall not be required to notify the Division Director, Department Head or Elected Official of the necessary duration of the leave of absence; however, the County Commissioners recommend that notification be in writing, with approximate service time, as well as the approximate travel time required, as soon as the employee is informed of the dates of service.
 - 3. There shall be no limit on the frequency or duration of military leaves of absence for the purpose of active duty for training, or inactive duty training.

4. Sedgwick County shall continue payment of the employer share of the premium or Sedgwick Premier Benefits for ninety (90) calendar days during leave of absence for the purpose of service to the federal government. The employee shall be responsible for his/her share of the premium payment to the County. After ninety (90) calendar days, total premium payments will be the obligation of the employee. The employee shall be responsible for payment of premiums for any optional payroll deductions during this leave.
- C. Employees may elect to use vacation with pay in the amount of earned vacation allowance. An employee cannot be required to use his/her vacation time for military leave or service to the National Disaster Medical System.
 - D. Upon completion of service of up to 30 consecutive days, the employee must report to work on his/her first regularly scheduled work period on the first full calendar day following the completion of the period of service and safe transportation home, plus an 8-hour period for rest. If reporting back within this deadline is "impossible or unreasonable" through no fault of the employee, he or she must report back as soon as possible after the expiration of the 8-hour period.
 1. Upon reporting back from service, the employee shall be put back to work immediately, without loss of seniority, status, or rate of pay because of the absence. The absence shall not be considered to interrupt the employee's "continuous service" status for pension purposes; however, contributions to the retirement fund will cease during this period of time, unless vacation leave is used.
 2. An employee who returns later than his/her appropriate shift, as established above, shall be subject to discipline pursuant to appropriate policies and procedures concerning tardiness and unexcused absence.
 3. Reference the Military Leave Policy 4.705 for guidelines applicable to service of 31-180 days or 181 days or more.
 - E. This Policy and Procedure shall not apply to employees ordered to report for Initial Active Duty Training.
 - F. This Policy and Procedure shall not apply to employees ordered to report for active duty.

III. Procedure

- A. As soon as an employee is informed of required active duty for training or inactive duty training, he/she should notify the Division Director, Department Head or Elected Official.
- B. The Division Director, Department Head or Elected Official shall submit a Personnel Action Form (PAF) to Human Resources to place the employee on military leave.