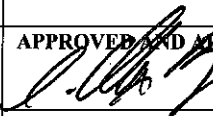
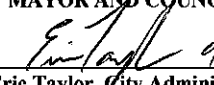
	PERSONNEL POLICIES AND PROCEDURES		SUBJECT: MILITARY LEAVE
	NUMBER: LVE 5.0	REVISIONS:	EFFECTIVE DATE: 9-19-2011
	SUPERCEDES:	APPROVED AND ADOPTED BY MAYOR AND COUNCIL:   A. Max Bacon, Mayor Date Eric Taylor, City Administrator, Date	

PURPOSE: To comply with federal and state law and to establish provisions for City employees who serve in the Reserves of the United States Armed Forces or the National Guard.

STATEMENT OF POLICY

In compliance with Georgia Code §38-2-279, the City will make a reasonable effort to accommodate employees fulfilling military obligations. With regard to Military Leave and other benefits provided, the city will comply with federal and state law.

In compliance with *Georgia Code §38-2-279*, any City employee ordered to active military duty shall be placed on military leave with pay for a period of time not to exceed 18 days in any one Federal military calendar year (October – September) and not exceeding 18 days in any one continuous period of absence.

Military leaves extending beyond 18 days per military calendar year will be without pay unless pay amounting to the difference between the employee's military pay and his or her regular City earnings is granted by approval of the City Council. The employee may also request use of annual leave to cover absences in excess of the 18-day military leave allowance.

Declared Emergency - According to *Georgia Code §38-2-279*, in the event the Governor declares an emergency and orders any employee to State active duty as a member of the National Guard, the employee shall receive pay for a period not to exceed 30 days in any one calendar year and not exceeding 30 days in any one continuous period of active duty service.

Extended Voluntary Service - According to *Georgia Code §38-2-279*, any voluntary member of the Reserves or National Guard shall be entitled to absent him/herself and shall be deemed to have an unpaid leave of absence as an employee while in attendance at any service school conducted by the armed forces of the United States for a period of up to (5) years.

Employment Rights

- A. Military leave of absence during ordered duty for annual/weekend training or other short-term purposes or for a declared emergency by the Governor of the State of Georgia pursuant to *Georgia Code §38-2-279* shall result in no loss of seniority status or benefits which would have normally accrued if the employee had not been absent for such purposes.
- B. A regular status employee who is ordered to or volunteers for active duty service with the armed forces of the United States shall be placed in his or her position, a comparable position, or another position as required by law upon completion of service, provided that the period of military service is five years or less. Such employees must have been honorably discharged and must return to work with the City within the period required by law. Although benefits will not accrue while an employee is in active-duty service, the employee will not lose any seniority and time spent in the service will count as service for retirement purposes. Accrued but unused leave earned by an employee prior to the commencement of military leave and not used during the employee's period of military leave will remain as earned leave for use by the employee upon the employee's return to

regular employment.

- C. Any employee promoted or hired to fill a vacancy created by a person on military leave is appointed to the position subject to the return of the absent employee. Upon such return, a promoted employee may be returned to his or her original position or an equivalent position. A replacement employee may be subject to layoff if no other position is available.

Employee's Responsibilities - At the earliest possible date upon learning of scheduled military duty, the employee is responsible for providing his or her immediate supervisor and/or department head with notice of the need for a leave of absence for active military duty. "Military leave with pay" requests will be processed by HR/Payroll upon receipt and verification of military orders.

Orders must specify the dates of absence, ordering authority, letter order number, and signature of the issuing authority.

Except in cases of national emergency, employees who fail to return to work on the date specified in the leave request without receiving an extension in advance may be subject to disciplinary action up to and including termination.

Dates of inactive duty training (weekend drills) should be provided to the employee's immediate supervisor and/or department head as soon as available if the dates conflict with any scheduled City work hours.

An extended voluntary leave of absence (exceeding 18 days) will be pursuant to the policy entitled **Leave of Absence Without Pay**.

Recordkeeping - It is the responsibility of the department head to clearly show the use of military leave on the employee's weekly time sheet.

The Payroll Coordinator will create and maintain an annual *Military Leave Register* for each affected employee to ensure the accurate recording of both paid military leave and unpaid leave of absence related to military service.