

<b>COUNTY OF WASHINGTON</b>  <b>Pennsylvania</b>	<b>Military Leave of Absence</b>	<b>PAGE: 1 of 3</b>
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## **PURPOSE/SCOPE**

This policy statement is being issued to establish guidelines for military leaves of absence and payment for Military Leaves; for all Washington County Employees.

## **POLICY**

### **I. DURING ACTIVE DUTY**

- A. For the first twelve (12) months that an employee is on Military Leave of Absence, the County shall provide the employee with the following:
1. Continued medical benefits that the employee had prior to his/her Military Leave. Health and pension plan coverage for service members shall be provided in accordance with the USERRA (Uniformed Services Employment and Reemployment Rights Act). After 12 months, individuals may elect to continue employer sponsored health care for up to an additional 24 months; however, the employee will be required to pay *up to* 102 percent of the full premium. In the event a change in benefits would occur to a similarly situated employee not on leave, like benefits would be provided.
  2. Continued life insurance that the employee had prior to their Military Leave. In the event a change in benefits would occur to a similarly situated employee not on leave, like benefits will be provided.
  3. Payment on a bi-weekly basis of the difference between what the employee earned as of his/her last day in the County position and what he/she receives as military compensation, as determined by the salary earned after the first thirty (30) days. From this payment, the County shall deduct the employee's retirement contribution based upon the employee's County salary and any applicable taxes. USERRA clarifies pension plan coverage by making explicit that all pension plans are protected.
- B. Seniority and all rights related thereto shall accrue during all the time an employee is on Military Leave of Absence.

## II. AFTER ACTIVE DUTY

The period an individual has to make application for reemployment or report back to work after military service is based on time spent on military duty. For service of less than 31 days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight-hour rest period. For service of more than 30 days but less than 181 days, the service member must submit an application for reemployment within 14 days of release from service. For service of more than 180 days, an application for reemployment must be submitted within 90 days of release from service. Upon completion of the above, the County shall provide to the employee, within seven (7) days, their previous County position or a comparable position, if the previous position is unavailable.

### PROCEDURE

Employees requesting military leave should submit a copy of their orders to their supervisor as soon as they receive the orders, so that operating requirements can be adjusted to accommodate the employee's absence. If orders cannot be produced before the employee takes leave, they will have 30 calendar days to submit them.

The Pennsylvania Military Leave of Absence Act requires that employers pay up to 15 days of Military Pay. The Act states that military members are eligible for paid leave when they are "engaged in training or other military duty under orders authorized by Federal or State law." If an employee cannot provide signed and/or official orders then there is no payment obligation by the County. In this case, employees can use all or some of their vacation pay.

### MISCELLANEOUS

This policy shall be consistent with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Insofar as any provision hereunder is inconsistent with USERRA, said statutes shall supersede this policy and be absolutely controlling.

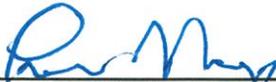
### INTERPRETATION and CONTROL

The Human Resources Department is responsible for the overall implementation and administration of this policy under the guidance of the County Solicitor.

The Board of Commissioners is responsible for the ultimate authorization and control of this policy.

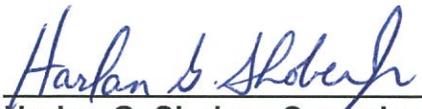
ADOPTED this 16<sup>th</sup> day of June, 2016, per minute 1018.

COUNTY OF WASHINGTON

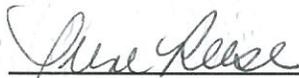
  
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Larry Maggi, Commissioner

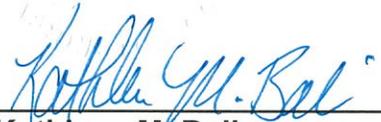
  
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Diana Irey Vaughan, Commissioner

Co-Chairmen

  
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Harlan G. Shober, Commissioner

ATTEST:

  
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Irene Reese  
Chief Clerk

  
\_\_\_\_\_  
Kathleen M. Bali  
Director of Human Resources

Approved as to Form and

Legality:

  
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Lynn DeHaven  
Solicitor