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## Military Leave

### 1013.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines regarding leave to perform military service as a member of the Reserves or National Guard, or for active duty in the U.S Armed forces.

This procedure does not address every situation or circumstance that may arise when an employee is performing military service or ordered to active duty. As military leave situations arise, supervisors should consult with the Human Resource Services to obtain specific guidance regarding military leave rights

### 1013.2 PROCEDURE

#### 1013.2.1 EMPLOYEE NOTICE REQUIREMENTS

It is the responsibility of the employee to communicate with his supervisor and Human Resource Services in a timely manner regarding any call to military service and to ensure that Human Resource Services is provided with a copy of military orders issued for military service.

Employees requesting military leave should:

- (a) Provide as much advance notice of the pending service as reasonably possible (38 USC § 4312).
- (b) Provide copies of official orders or other official documentation.
- (c) Select the benefit options desired during absence, if applicable.
- (d) Retain copies of all submitted documents.

Human Resource Services is available to the employees as a resource to assist with any questions about military leave.

#### 1013.2.2 MILITARY RESERVE AND DISASTER TRAINING LEAVE

Employees attending camps, maneuvers, formations or drills under orders with any branch or reserve of the armed forces of the United States shall be granted leaves of absence from their duties. (ARS § 38-610).

1. Utilizing the federal fiscal year of October 1 – September 30, an employee shall be entitled to military reserve training leave up to three (3) times the average regularly scheduled weekly hours per year, and up to six (6) times the average regularly scheduled weekly hours in any two consecutive years.
  - (a) Employees assigned to 24-hour shifts shall be entitled to 168 hours of military reserve training leave per year and up to 336 in any two consecutive years.
  - (b) Employees assigned to a 40-hour week shall be entitled to 120 hours of military reserve training leave per year and up to 240 hours in any two consecutive years.
  - (c) Part-time employees military training leave shall be based upon their average regularly scheduled weekly hours.

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2. Employees can choose to select the paid military leave bank, PTO, or leave without pay (LWOP).
  - (a) If the employee chooses the military leave hours as described in 1.a and b. above use payroll code LV-Military. If the employee chooses the paid military leave bank there is a differential calculation completed after a Leave and Earnings Statement (LES) is received by Human Resource Service from the employee. The District shall compensate the employee for the difference between the employees normal rate of pay and that pay received for the military leave for the duration of the leave. In the event the employee's military pay exceeds their normal District pay, there shall be no compensation for the military reserve training leave. The employee is responsible to coordinate with Human Resource Services for the arrange of pay during the military training period.
    - (a) Due to the calculation being completed after the military training and after Human Resource Services receives the LES from the employee for the specific dates, the employee may be required to reimburse the District for overpayment due to the employees military pay exceeding their normal District pay.
  - (b) If the employee chooses their PTO leave bank use payroll code LV-Military PTO.
  - (c) If the employee chooses to use LWOP use payroll code LV-Military Leave without Pay. For the purposes of retirement, LWOP for an entire pay period or more is considered a break in service.
3. Employees are allowed to do Shift Trades if another employee agrees to do so, and is on the same work schedule.

#### 1013.2.3 FULL-TIME MILITARY LEAVE

1. An employee with military orders that would not be considered under 1013.2.2 above, should provide as much notice as possible of the pending orders, either written or verbally, or as soon as practical if time does not allow for advance notice.
2. Employees should coordinate with Human Resource Services to determine benefits and retirements options for the duration of the military leave.
3. This type of leave is typically unpaid. Employees are not required to use PTO during military leave; however, they may elect to do so.
4. The period of active duty is not considered a break in service for the purposes of retirement so long as the military service conforms to the provisions specified by USERRA.
  - (a) Retirement contributions will not be made during active duty; however, upon return to employment an employee can elect to make up missed contributions. This is voluntary and not a requirement.
  - (b) PSPRS employees only. Upon the employee's return to work from a Presidential Call-up, the District will make a lump sum contribution for both the employer and teh employee on behalf of the employee.

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- (c) ASRS employees only. If the employee returns within the required 90 days or passes away while in service, the District is required to pay both the employee and the employer contributions.

#### **1013.3 ADDITIONAL INFORMATION**

Military Leave Policy 1044

Military Leave Packet (available in Human Resource Services)