

## **9.09 MILITARY LEAVE**

- 9.09.01** Employees who are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties, without loss of time, seniority or benefits on all days during which they are engaged in authorized training or duty ordered by proper authority, not to exceed fifteen (15) working days in any one (1) federal fiscal year (October 1 - September 30). Employees will continue to receive pay from the County. Military leave in excess of fifteen (15) working days will be charged to applicable available leave or leave without pay, unless supplemental military pay option is chosen, as explained in Section 9.09.05 below.
- 9.09.02** Employees who are ordered to extended active duty with the state or federal military forces are entitled to all of the reemployment rights and benefits provided by law upon their release from active duty.
- 9.09.03** An employee requesting military leave shall provide the supervisor with a set of orders within three (3) days after receiving them.
- 9.09.04** Jackson County complies with all state and federal regulations regarding military leave and service such as the Uniformed Services Employment and Reemployment Act (USERRA).

### **9.09.05 SUPPLEMENTAL MILITARY PAY**

Subject to amendment or discontinuance at any time, a full time employee who is a member of a reserve component of the armed forces of the United States, including the state military forces, and who by virtue of that membership is called to active duty for drills and/or training in the armed forces of the United States by federal authority without the person's consent, such activation being protected by the Uniformed Services Employment and Reemployment Rights Act ("USERRA" codified at 38 U.S.C. § 4301 *et. seq.*) who has not:

- a. separated from County or District employment by resignation or termination for any reason that is not a direct consequence of the person's call to active duty or
- b. committed a voluntary act that has the affect of adding to the period that the person was subject to active duty in the armed forces of the United States as described above

is eligible to participate in the supplemental military pay program described below so long as the employee is protected by USERRA.

If the State mandated allowance of 15 days of paid leave is exhausted, the full time employee may request use of available leave or may opt to receive supplemental pay, not to exceed 15 days, or at the discretion of Commissioners' Court.

A reservist who meets the criteria established and wants to be considered for the supplemental pay must submit the following documents and any other information necessary to the Treasurer's Office within three (3) days after receiving them:

- a. A copy of the orders to report for drills and/or training;
- b. Leave and earnings statements for all days claimed;
- c. Separation order showing the last day of duty or like statement; and
- d. Proof of continuing service in the reserves or discharge papers proving that the discharge was neither dishonorable nor for bad conduct.

The Treasurer's Office shall compare the total amount of compensation the employee received from the military to his or her County pay. If the County amount is higher, the difference will be included in a one-time pay adjustment.