



Military Leave Policy

Effective Date: November 2020

Owner	Board of Commissioners
Reviewer(s)	Human Resources
Approver(s)	Human Resources Director
Related Policies	Leave of Absence Policy
Related Standards	N/A
Storage Location	iCobb
HR Last Review Date	November 2020
HR Next Review Date	November 2022
HR Review Cycle	Every two years

1. PURPOSE

To provide regulations concerning military leave for county employees.

2. SCOPE

This policy affects All Employees. If you have questions regarding this policy, contact Human Resources.

3. GOVERNING LAWS, REGULATIONS & STANDARDS

Guidance	Section
Uniformed Services Employment and Reemployment Rights Act (USERRA)	All Regulations
Georgia Rights of Public Officers and Employees Absent on Military Duty	O.C.G.A. 38-2-279 (2010)
Family and Medical Leave Act (FMLA)	Military Family Leave Provisions (2008)
And all other applicable laws and regulations	

4. POLICY

Leaves of absences to perform military duty in the Armed Forces of the United States, the Military Reserves, or the National Guard will be granted in accordance with applicable state and federal laws (18 days per fiscal year). The County will also comply with applicable federal and state laws in regards to the reemployment of individuals returning from military leave.

5. PROCEDURES

- A.** An employee, other than a temporary employee, who enlists, is inducted, or is recalled to active duty in the Armed Forces of the United States for a period of not more than four years (plus an involuntary extension for not more than one year) will be granted a leave of absence. Such leave will protect the employee's service with the County.
- B.** Upon satisfactory completion of military service and timely notice of intent to return to work, an employee will be reinstated to their former position or to a position of like seniority, status and pay for which they are qualified.
- C.** Employees returning from active duty must apply for reinstatement within 90 days after being released from active duty. Reservists and members of the National Guard returning from initial active duty for training must apply for reinstatement within 31 days after being released from military duty. Reservists and members of the National Guard returning from all other active or inactive duty for training need not apply for reinstatement. They must, however, report for work on the first scheduled working day following completion of their military duty.



Military Leave Policy

- D. An employee returning from military service under the provisions of this policy ~~Regulation~~ shall be entitled to the privileges that would have been accorded ~~him~~ them had ~~he~~ they continued in ~~his~~ their position such as: sick leave and annual leave accrued and unused by the employee at the time of entrance into the military service; salary adjustments resulting from changes in the Compensation Plan; salary advancements as provided in the Compensation Plan (in the absence of evidence to the contrary, it shall be considered that ~~he~~ they would have earned and received every second salary advancement).
- E. An employee returning from military service under Section A of this policy who has been disabled during ~~his~~ their military service to the extent that ~~he is~~ they are incapacitated from performing ~~his~~ their former duties, shall whenever possible, be reassigned or transferred to other duties for which ~~he is~~ they are qualified. Such reassignment shall be, if possible, within the same compensation grade as the employee's former position.
- F. Requests of employees returning from military service who seek leave to avail themselves of veteran's benefits, such as attendance in educational institutions, shall be considered on the basis as other requests for leave of absence which takes into account the administrative necessities of the departments.
- G. To be entitled to reemployment rights, an employee must submit a certificate of separation from military service under honorable conditions, or a certificate evidencing satisfactory completion of military service.
- H. Absence from work due to orders received to report for any pre-induction examination for service in the armed forces of the United States will be designated as pre-military leave and will not be charged as annual leave.
- I. Employees with military duty obligations are requested to provide as much advance notice as possible of upcoming military service. Submission of a copy of ~~your~~ orders or a statement from the appropriate military officer will be sufficient evidence of military duty. Failure to request a leave of absence for military duty may result in loss of ~~your~~ reemployment rights.
- J. Any hours of military leave payable under this policy must be submitted on the employee's time card.

6. EXCEPTION

Exceptions to this policy must be justified and approved in advance by the Board of Commissioners.

7. NON-COMPLIANCE

Violations of this policy may include disciplinary action according to applicable County policies.

REVISION HISTORY

Version ID	Revision Date	Author	Reason for Revision
	03-1983		Adoption
	07-1983		Revision
	06-1992		
	08-1995		
v. 1.0.-2020	09-2020		Reformat