

**ADMINISTRATIVE
PROCEDURE**

SUBJECT: **ACTIVE DUTY MILITARY LEAVE**

1.0 POLICY

The purpose of this procedure is to support employees of the City of Winona who are called to active military duty for more than fifteen (15) days by providing a base basic salary, extending benefits and crediting seniority and accruals.

2.0 ORGANIZATONS AFFECTED

All current non-probationary regular full-time and regular part-time employees qualifying for benefits under the personnel policies. This policy may be revised in order to comply with applicable law. Employees may not be eligible for the benefits if suspended or on administrative leave.

3.0 PROCEDURE

Employee must complete a Personnel Action form for military leave and provide a copy of the official orders. All documents must be submitted to the City Manger's office at least three (3) weeks prior to the leave beginning.

4.0 COMPENSATION AND BENEFITS

- 4.1 The employee has the option of receiving biweekly compensation of \$230.77 to a maximum of \$6,000 annually. The Employee may opt out of this arrangement if his/her PERA calculation will be adversely affected. The employee must make an irrevocable decision prior to the leave to receive compensation. If compensation is chosen, direct deposit must be established prior to the leave.
- 4.2 Medical coverage that the employee has prior to military leave will be extended until the employee is covered by military medical benefits. All other benefits will cease on the last day of the month that leave begins. The employee may elect to continue medical coverage and optional benefits at full cost. An arrangement for continuing benefits must be determined in advance. Failure to pay premiums within a thirty (30) day grace period will result in loss of coverage for the duration of the leave. Coverage will be reinstated upon return to work.
- 4.3 There will be no loss of seniority rights, vacation or sick leave accruals provided the employee resumes work for the City of Winona for a minimum of six (6) months and provides all of the following.

DEPARTMENT: ADMINISTRATION	SUPERSEDES: NONE	PREPARED BY: DAB	APPROVED BY: CITY COUNCIL	DATE: 3/15/04
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- Documentation establishing the date service ended;
- Documentation demonstrating that the employee has not exceeded the five (5) year service limitation; and
- Documentation establishing discharge status.

4.0 Return to work

For leaves longer than thirty (30) days, the employee is expected to contact the City Manger's office within the time specified below to arrange a date to return to work.

<u>Length of Leave</u>	<u>Contact the City within</u>
31 to 180 days of leave	14 days
181+ days of leave	90 days

If it is impossible for an employee who served for less than 181 days to report to work through no fault of the employee, the employee must make contact as soon as possible to arrange for a return date.

5.0 Retraction of Benefits

Military leave compensation, seniority rights, vacation and sick leave accruals will cease should the employee's Uniformed Services Employment and Reemployment Rights Act rights be revoked. Benefits of USERRA terminate upon the occurrence of any of the following:

- Dishonorable discharge or bad conduct discharge
- Discharge on other than honorable conditions
- Dismissal by sentence of general court-martial, in communication of a sentence of general court-martial, or by order of the President in time of war
- Dropping of a commissioned officer from the rolls of a uniformed service due to absence without authority, or confinement following a court-martial or civilian trial

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