

Military Leave – Uniformed Services Training

Number: F-10

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1.0 POLICY

The Town of Carolina Beach provides time off for Uniformed Services Training for all employees. Benefit-eligible employees receive **paid** leave as specified in this policy. Other (not benefit-eligible) employees receive **unpaid** time off.

2.0 PURPOSE

The Town supports employees wishing to serve their country through participation in the Uniformed Services as a reservist and has long provided financial support to do so. The Town complies with the guidelines of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and considers them to be the minimum requirements. This policy explains how the Town fulfills its obligations under USERRA for employees who are completing their Uniformed Services Training. See policy **Military Leave-Active Duty** for periods of Active-Duty deployment not related to short-term training.

3.0 SCOPE

This policy applies to all employees. Other (not benefit-eligible) employees are not covered by the paid leave outlined in this policy but will be allowed time off.

4.0 DEFINITIONS

- **4.1 Uniformed Services Training Time Off** – Excused time off not to exceed the total number of scheduled work hours necessary for an employee to fulfill his Annual Uniformed Services Training obligation with the Uniformed Services during the 12-month period October 1 through September 30 (federal fiscal year).
- **4.2 Paid Uniformed Services Training for Benefit Eligible Employees** - Town paid leave granted to Benefit Eligible employees for Annual Uniformed Services Training of up to 120 hours during the 12-month period October 1 through September 30 (federal fiscal year).
- **4.3 Benefit-Eligible** – Full-time and part-time employees who are eligible for coverage and participation in the Town’s benefit programs in addition to legally mandated coverage. See **Policy on Position Types**.
- **4.4 Other (not Benefit-Eligible) Employee** - An employee assigned to a position designated roster, seasonal temporary, or special project who is eligible for salary and mandated benefits only. See **Policy on Position Types**.
- **4.5 Uniformed Services** – Uniformed Service includes active duty, active duty for training, inactive duty training (such as drills), initial active-duty training, and funeral honors duty performed by National Guard and reserve members, as well as the period for which a person is absent from a position of employment for the purpose of an examination to determine fitness to perform any such duty.
The Uniformed Services [20 CFR 1002.5 (o)] consist of the following:
 - Army, Navy, Marine Corps, Air Force and Coast Guard

- Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve and Coast Guard Reserve
- Army National Guard and Air National Guard
- Commissioned Corps of the Public Health Service
- Any other category of persons designated by the President in time of war or emergency

5.0 ORGANIZATIONAL RULES

- 5.1 Employees will be allowed time off for Uniformed Services Training and will be returned to work in the same or like position they occupied prior to the training.
 - A. Benefit-eligible full-time employees will be provided paid leave as defined in Section 4.2 of this policy.
 - B. Benefit-eligible part-time employees will be provided one-half of the paid leave as defined in Section 4.2 of this policy. For example, 60 hours for Benefit-eligible part-time employees.
 - C. Other (not benefit eligible) employees will be allowed unpaid time off from work to attend Uniformed Services Training.
- 5.2 For any Uniformed Services Training in excess of the 120 hours or 60 hours during the October 1- September 30 time period, the employee may use either vacation leave, compensatory time or leave without pay.
- 5.3 If an employee is injured while performing Uniformed Services Training, he must be cleared medically by the Town's Medical Review Officer before returning to work.

6.0 PROCEDURES

- 6.1 All requests for time off to attend Annual Reservist Training leave must be submitted to the employee's immediate supervisor in advance and accompanied by the official set of orders or a letter from the commanding officer outlining the training dates.
- 6.2 For the hours of Annual Reservist Training that are compensable, the benefit-eligible employee, or his departmental timekeeper, will enter the compensable hours into the electronic timekeeping system as follows:
 - A. The total number of paid hours for Annual Reservist Training Leave for that pay period will be entered into the employee's time entry record on the electronic timekeeping system as "Military Leave".
 - B. Any unpaid Annual Reservist Training time will not be entered into the electronic timekeeping system.
- 6.3 Annual Reservist Training hours in excess of the customary 120 hours (or 60 hours) may be compensable through a combination of vacation leave, compensatory time, or unpaid time off. The compensable hours should be entered into the employee's time entry record on the electronic timekeeping system by either the employee or the departmental timekeeper under the correct category such as "vacation" or "compensatory time".
- 6.4 Any period of unpaid Annual Reservist Training will NOT impact the employee's service time with the Town.
- 6.5 If he was injured while on Annual Reservist Training, and upon receipt of release orders from Annual Reservist Training, the employee must schedule a return-to-work evaluation with the Town's Medical Services provider. This examination should be coordinated through the Human Resource Department. The exam components will be determined by the medical provider and are meant to ensure the employee's ability to perform the duties of their Town position.

7.0 APPENDIX, APPENDICES

None