MILITARY LEAVE

The City of Port Huron complies with all applicable state and federal laws concerning the employee's employment and benefit status while serving in the United States Armed Forces, including reserve duty. In addition, the following conditions apply:

1. **Military Reserve Employees – Temporary Military Leave of Absence**

A temporary military leave of absence shall be granted to an employee who is in a reserve component of the United States Armed Forces when ordered to active duty training. A temporary military leave of absence for active duty training is with pay if the military pay is less than the employee's regular City pay.[1] The City pay will then be the equivalent of the difference between the employee's military pay and the employee's regular City pay for each day of absence from scheduled City employment for those days. An employee placed on military leave of absence will be considered the equivalent of a 40 hour per week employee for payroll calculations. This leave cannot exceed 10 regularly scheduled workdays or an equivalent of 80 total work hours in any calendar year. Continuous City service is allowed for the period of military leave of absence as described in this paragraph.

If active duty training exceeds 10 regularly scheduled workdays, the employee may choose to be placed on regular military leave of absence without pay or use vacation time the remainder of the training period. The leave and the right to restoration to the employee's formerly occupied position terminates if the employee fails to return to work within 5 calendar days after release from training duty.

2. **Military Reserve Employees – Emergency Military Leave of Absence**

An employee who is in a reserve component of the United States Armed Forces when ordered to emergency active duty by compulsory call of the Governor or the President of the United States, shall be granted an emergency military leave of absence. In addition, when a military reserve employee is called to active duty for a period greater than 30 calendar days, the City of Port Huron will consider the first 30 calendar days of activation an "Emergency Military Leave of Absence."

The City pay will be the equivalent of the difference between the employee's lower military pay and the employee's regular City pay for each day of absence from scheduled City employment for those days. An employee placed on military leave of absence will be considered the equivalent of a 40 hour per week employee for payroll calculations. The emergency military leave cannot exceed 20 regularly scheduled workdays within the 30 day calendar period or an equivalent of 160 total work hours in any calendar year.

City benefit programs which are not required to be maintained by law shall be terminated after the employee has remained on emergency military leave of absence for a period of 30 calendar days.

If the emergency duty exceeds 30 calendar days, the employee may choose to be placed on regular military leave of absence without pay or use vacation time for the remainder of the duty period. After release from emergency duty less than 90 active days, the employee is restored to the position formerly occupied. The leave and the right to restoration to the position formerly occupied terminates if the employee fails to return to work within 10 calendar days after release from emergency duty. Continuous City service is allowed for the period of emergency military leave of absence.

Only one Temporary Military Leave of Absence (a maximum of 10 days) and one Emergency Military Leave of Absence (a maximum of 30 days) will be granted to the employee in any calendar year.

3. **Regular Military Leave of Absence**

An employee who enters military service in the Armed Forces of the United States under the provisions of the selective service law, by call to active duty from reserve status, or by voluntary entrance in lieu of being called to duty, is entitled to a military leave of absence for a period of time required to fulfill the military obligation not to exceed five total years of active duty service as described and limited by law. This regular military leave of absence is without pay or benefits, except as provided for by law.

Following the military leave of absence, the employee will then be restored to the position formerly occupied if the employee's active duty was 1 to 90 days. The employee will be restored to the position formerly occupied or an equivalent position if the employee served 91 or more days to five years of active service. Continuous City service credit is allowed for the period of regular military leave of absence. Health insurance and other medical benefits remain in effect for the first 30 days of active duty service. For an absence of 31 days or more, medical coverage stops unless the employee elects to pay for coverage under COBRA. Health insurance is reinstated immediately with no waiting period once the employee has made application to return to work. Upon returning to work, employee's service time will be credited to his/her pension plan as if the employee had been continuously employed.

Time limits for an employee to return to work after a regular military leave of absence shall be as follows:

Service of 1 to 15 days:	Five calendar days from the last day of service.
Service of 16 to 30 days:	Ten calendar days from the last day of service.
Service of 31 to 180 days:	14 days from the last day of service.
Service of 181 or more days:	Not later than 90 days from last day of service.

[1] Base pay plus longevity, excluding overtime.