

POLICY: **Military Leaves of Absence**
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POLICY

It is the policy of the District to accommodate military leaves of absence (MLOAs) to eligible Employees in compliance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

RESPONSIBILITIES

It is the responsibility of **employees** to notify the District Manager or Fire Chief of impending active military duty, at their earliest convenience, and to complete a MLOA form and return it to the District Manager or Fire Chief.

It is the responsibility of the **District Manager** or **Fire Chief** to review and accommodate MLOA requests.

It is the responsibility of the **District Manager** or **Fire Chief** to ensure that when reviewing a MLOA, the employee's responsibilities are covered through the duration of the MLOA.

The **Personnel Officer** shall maintain a **Personnel Action Form 254-4** accommodating a MLOA request in the employee's Personnel File.

PRACTICES

1. An employee with a notification of impending military duty must notify the District Manager or Fire Chief by submitting a completed and signed **Military Leave of Absence Notification Form 454-1**.
2. The District Manager or Fire Chief shall approve or deny the MLOA request based on paragraphs three (3) and four (4).
3. The following types of situations shall be considered active military duty, except those situations found in paragraph 4, this list shall be considered all inclusive:
 - A. Any employee who is absent for a military preinduction physical examination during a scheduled work period will be excused for the necessary portion of that work period;
 - B. Employees who are members of the organized reserves or any branch of the Armed Forces of the United States of America, including National Guard members called to active duty may be granted up to ten (10) paid days military leave in any one calendar year and such MLOA shall not count against accrued vacation or sick leave).

4. A MLOA, without pay, will include time spent while in training or on active duty beyond ten (10) scheduled workdays in any one calendar year and will extend through ninety (90) days after release from service in the regular armed forces; or three (3) workdays after release from compulsory basic, advance, and/or officers training for the armed forces, reserves, or National Guard.
5. Upon approval or denial of a MLOA request, the employee will be immediately notified.
6. A ***Military Leave of Absence Notification Form 454-1*** shall be maintained in the operational file of an employee with an MLOA accommodation.
7. The District Manager or Fire Chief shall forward ***Personnel Action Form 254-4*** accommodating an employee's MLOA to the Personnel Officer.
8. Any employee from a benefit eligible position who leaves District employment for military duty will be paid for any applicable accrued benefits; however, this does not apply to employees on MLOA of a temporary nature to attend basic, advanced, and/or officers training for the armed forces, reserves, or National Guard and if an employee does not return to work from a MLOA, payment of any applicable accrued benefits will be paid at the time of termination on the regular pay day.
9. An employee returning from MLOA may be reinstated in their former position or equivalent, as determined by the District Manager or Fire Chief, without loss of stature or a reduction in pay.
10. An employee on MLOA must make application for reinstatement within ninety (90) days after release from military service and an employee on MLOA of a temporary nature does not need to make application for reinstatement.
11. Failure to return to work after end of a MLOA of a temporary nature may result in voluntary resignation of employment.

RELATED POLICIES

Separation 272
Employee Benefits 400
Leaves of Absence 442
Family and Medical Leaves of Absence 463
Absences 506

STATUTORY REFERENCE

RSMo §105.270
Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)

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REVISION HISTORY

Revision Date	Author	Revision Details
June 8, 2021	Monte Olsen	Initial version