

Military Leave

PAYROLL POLICY & PROCEDURES

FINANCE DEPARTMENT

Purpose

The City of Waukegan (“City”) Military Leave Policy establishes Finance Department uniform military leave pay treatment and allows eligible employees to fulfill their military obligations required by law or administrative regulation.

Eligibility

This Policy applies to all active, full-time employees in good standing with the military. This Policy **does not** extend to inactive employees, or anyone whose military service has been terminated.

The uniformed services include the armed forces active and reserve components of the Air Force, Army, Army and Air National Guard, Coast Guard, Marine Corps, Navy, and the Commissioned Corps of the Public Health Service and National Oceanic and Atmospheric Administration, and any other category designated by the President of the United States in time of war or an emergency.

Initiating the Leave Event

It is the employee’s responsibility to provide their manager and the Finance Department with notice of every military service leave before the leave begins. If advance written notice cannot be provided due to extenuating circumstances, the employee should ensure notice is provided via emergency contact and/or family member as soon as possible.

The employee initiates the leave event by providing a copy of the official military orders defining the military service to be performed (collectively “Orders” hereafter). As an interim measure and absent a copy of the official Orders, the employee’s paid-time-off banks will be used to allow for payment of the day. Once the Orders are received, the paid-time-off will be reversed back into the employee’s bank and military leave pay granted.

Employees are required to ensure that a copy of their Leave and Earning Statement (LES) is submitted to the Finance Department as soon as practical but no later than one-month after receiving their payment from the military. The LES is necessary to confirm that the military service was performed, and the military basic (base) pay for the period of military leave. **Failure to provide an LES within the stated timeframe may result in the reversal of military leave pay to either a non-paid status or use of other paid-time-off from the employee’s available time banks.**

Payroll Processing

ANNUAL TRAINING ORDERS

Employees on military leave are eligible for paid leave for periods of Annual Training (AT), usually a two-week period of consecutive military assignment. Employees performing AT under military orders shall receive full City compensation in addition to military pay received. This may be referred to as “concurrent pay.”

NON-ANNUAL TRAINING ORDERS

Employees on military leave other than the regular, standard two-week AT are eligible to receive differential pay for other periods of sanctioned military leave or service. This may be referred to as “differential pay.” Differential pay is the difference between military base pay and the City pay. The period of time for which the differential pay applies is based on the duration of the Orders. An employee is eligible for differential pay for each scheduled work day the employee instead is on military leave. Work reduction days, also known as “Kelly Days” are not counted as scheduled work days. No differential applies when military pay exceeds City pay.

SHORT TERM ORDERS

The differential pay is determined by calculating the City pay for each day which would normally be worked by the employee minus the pay received from the military for the same day. The daily pay from the military is equal to the number of drills paid by the military, at the paygrade and years of service as reported by the Defense Finance and Accounting Service (DFAS) for the calendar year in which the military leave is taken. For example, an employee scheduled to work on a 12 hour shift on a Saturday for the City, but who is on a military drill weekend on that same Saturday, will be paid the difference of 12 hours by the City minus the basic pay for that date as reported on their LES.

LONG TERM ORDERS

For leaves of 30 consecutive days or longer, the differential is calculated by subtracting one drill at the paygrade and years of service as reported by DFAS for the calendar year in which the military leave is taken from each day the employee would have otherwise been working for the City. The military pay received may be in excess of the differential paid by the City as longer term leaves are not paid on a per drill basis by the military, but rather on a bimonthly basis.

In addition, the State of Illinois does allow the employer to count a shift which crosses over midnight as two work days; however, as that will result in lower pay to the employee on military leave the City will count a shift as one day regardless if it falls within one calendar day or two.

For military leaves in excess of one-year, Human Resources should be consulted to determine if the employee is to remain on an active status and continue to be entitled to military pay differential leave and other benefit accruals.

Compliance

The City is committed to full and total compliance with Federal and State laws and regulations regarding benefits for City employees during military leave. In the event an employee fails to serve military duty on those days for which he or she is compensated for military leave by the City, the pay benefit will be immediately reversed by the Finance Department and the matter will be reported to the Human Resources Director, employee’s Department Head, and the Mayor for further action.