

3.6 MILITARY LEAVE

- A. An employee who is a member of the active organized reserve of the Army, Navy, Air Force, Marines or Coast Guard of the United States or of the National Guard, while under competent orders for active military duty, shall be granted leave with regular pay for not more than a total of one hundred seventy-six (176) hours in any calendar year. **While on a paid military leave, employees accrue all forms of paid leave. After the 176 hours of paid military leave, employees do not accrue any form of paid leave during their absence.**

- B. Any employee called or ordered to military duty for more than one (1) month because of an executive order issued by the President of the United States or by Act of Congress will be paid the lesser of the following:
 - 1. The difference between the employee's gross monthly wage or salary and the sum of the employee's gross military pay and allowances received that month; or
 - 2. Five Hundred Dollars (\$500.00).

- C. For periods of voluntary or involuntary active duty of unknown duration that will exceed 180 days with no known date of return:
 - 1. Employees will have full reinstatement rights after release from active duty if the individual submits a written request for reinstatement within the following timeframe:
 - a. Active duty service of less than 30 days, employees must apply for reinstatement immediately upon release from active duty.
 - b. Active duty service of 31-180 days, employees must apply for reinstatement within 14 days upon release from active duty.
 - c. Active duty service in excess of 181 days, employees must apply for reinstatement within 90 days upon release from active duty.
 - 2. Employees may retain health insurance by paying their share of the premium. The Commission will continue to pay the employer's share.
 - 3. Employees must have an honorable discharge or be released from duty in an honorable status. Employees must furnish to Human Resources a copy of their DD-214 to verify their discharge date and discharge status from military service.

- D. While on an Unpaid Military Leave:
 - 1. An employee's seniority is not lost.
 - 2. Employees will continue to receive step increases pursuant to the collective bargaining agreement or employee manual.

3. Time spent on an unpaid military leave is included in calculating both the 12-month service requirement and the 1,250 hour work requirement for purposes of FMLA eligibility.
 4. Employees may be granted a reasonable period of leave to engage in pre-deployment activities. Employees may use vacation leave, personal leave, compensatory time or leave without pay for pre-deployment activities.
 5. Up to 10 years of free OPERS service credit may be granted to a member who, after at least one year of contributing service, leaves public employment for active duty in the armed forces and returns within two (2) years after discharge to a position covered by the Ohio Public Employees Retirement System.
 6. Basic Life Insurance will continue to be paid by the Employer during active military service. Employees must make arrangements for payment with Human Resources for any supplemental insurance plans.
- E. The Commission shall abide by all state and federal laws, regulations and executive orders concerning military leave, i.e., O.R.C. Section 5923.05, Title 3 USC Sections 4301-4333, and the Uniformed Services Employment and Reemployment Rights Act (USERRA) and shall not diminish any rights granted thereby. Employees called for active military duty are encouraged to contact the Human Resources Department for assistance.