



**DOUGLAS COUNTY  
POLICY FORM**

SUBJECT <b>EMPLOYEE LEAVE</b>	POLICY NO. HR.IV. 3. 2
TITLE <b>MILITARY LEAVE - WAR TIME AND NATIONAL CRISIS</b>	APPROVAL DATE December 18, 2001
	REVISION/REVIEW DATE August 15, 2018

**PURPOSE:** To provide additional military leave to eligible employees called to full-time Active Duty status during times of war and/or national crisis in accordance with USERRA.

**DEPARTMENT RESPONSIBLE:** Human Resources

**DEPARTMENT(S) AFFECTED:** All

**EMPLOYEES AFFECTED:** All Regular Full-Time and Regular Part-Time Employees currently on Active Reserve or Active Duty Status with the U.S. Army, Navy, Air Force, Marines, Coast Guard, or certain types of service in the National Disaster Medical System.

**POLICY:** It is the policy of Douglas County to comply with the Uniformed Services Employment and Re-Employment Rights Act, 38 U.S.C. section 4301, as amended, and to provide additional benefits to employees called to active duty in the uniformed services during times of war or national crisis. In order to receive the additional benefits offered by Douglas County, affected employees should provide copies of military orders and military rate of pay to Human Resources as soon as possible.

Douglas County will exhaust all other military leave pay before providing supplemental compensation due to the war time or national crisis provision.

- A. Eligible employees called to active duty status during times of war and/or national crisis shall qualify for the following compensation and benefits up to a maximum of 12 months in a rolling 5-year period:

1. Compensation that supplements military pay up to the employee's current pay amount prior to active military duty. This is based on the employee's regularly scheduled workweek and at the employee's regular hourly rate of pay for non-exempt employees or regular salary for exempt employees.
2. Continued accrual of vacation and sick leave benefits based on active employment status.
3. Medical Benefits: Employees who are called up for active duty must enroll in **TRICARE**, the Department of Defense health care program for members of the uniformed services. The individual becomes eligible for **TRICARE** beginning with the effective date of the order to active duty.
4. Other Elected Benefits: will continue at the current group rates and current cafeteria benefit contributions through our normal payroll process. Medical benefits may be specifically excluded per Plan requirements. Please contact Human Resources for specific details. If an employee does not receive supplemental compensation, or such compensation does not cover the amount of the premiums, the employee is responsible for the cost of employee benefits in excess of the cafeteria plan amount. These premiums are due on the first day of each month for that month's coverage. Human Resources will coordinate this process with eligible employees and/or their family members.
5. Life Insurance and AD&D: The County will pay any required premiums for Basic Life Insurance coverage. As a part of the Basic Life policy, there is an Accidental Death & Dismemberment (AD&D) provision. However, while on active duty for more than 30 days in any Armed Forces, no AD&D claim can be paid on behalf of an employee. Once released from Active Military Duty, AD&D benefits will be reinstated through the County's insurance carrier.
6. Other Benefits - Payment for all other remaining insurance premiums and/or voluntary insurance premiums is the responsibility of the employee during a Military Leave of Absence once they have exhausted their cafeteria and medical allowance benefits.

B. Eligible employees called to active duty status during times of war and/or national crisis that have received compensation and benefits for the maximum 12 month period shall then qualify for the following provided they remain on continuous active duty:

1. Continuation of elected benefits at current COBRA rates. These premiums are due on the first day of each month for that month's coverage. Human Resources will coordinate this process with eligible employees and/or their family members. The maximum period of coverage shall be for a period of 24 months

2. Employee will be placed on inactive status and is entitled to the seniority and other benefits that a person would have attained if he or she had remained continuously employed for a maximum period of 5 years from the date called to active duty status. Employees may continue to contribute to the Douglas County 401(a) Retirement Plan while on leave, or may make up the contributions that they otherwise would have made during the period of military service.

C. Employment reinstatement will be in compliance with all USERRA requirements. Additionally, all Douglas County Sheriff's Office commissioned officers that are on Military Leave in excess of one year **must** meet certification criteria prior to reinstatement with Douglas County. Professional Standards will coordinate and approve that the certification criteria have been met.