

CITY OF GRAND PRAIRIE

HUMAN RESOURCES POLICIES AND PROCEDURES

Section C: **EMPLOYEE BENEFITS**
No. 12 **Military Leave**
Revised and Approved: **08/03/26**

1.0 Purpose:

The purpose of this policy is to define the benefits related to military leave for both active duty and temporary military training duty.

2.0 Scope:

All full-time, part-time, seasonal, and temporary employees are eligible to use military leave. If the military leave extends beyond the employees fixed employment term, in the case of temporary or seasonal employees, then the leave will not extend beyond the employment term.

3.0 Definitions:

- 3.1 Fiscal (Budget) Year: The period of October 1 through September 30 coordinating with the Federal and City Budget year.
- 3.2 Military Service: Service in the active armed services, reserve units, National Guard, or other special unit of the armed service.
- 3.3 Military Training: Duty involving military training of a limited duration.
- 3.4 Military Leave: Paid leave for employees who are required to perform military service or training up to fifteen (15) calendar days per fiscal (budget) year.

4.0 Policies:

- 4.1 All employees who are members of the Texas National Guard or any of the components of the Armed Forces called for active duty or military training duty shall be eligible for a leave of absence with pay not to exceed fifteen (15) days or 120 hours (military hours available for firefighters working 24 or 48 hour shifts will be adjusted to align with Texas Government Code §437.202) per fiscal (budget) year.
- 4.2 Employees who submit a request for military leave for active duty or military training duty shall be entitled to benefits as specified in this policy and in compliance with the Uniformed Service Employment and Re-employment Rights Act of 1994 and other applicable federal and state laws.

5.0 Procedures:

- 5.1 Employees requesting military leave must submit a "Leave Request Form" to their department supervisor as soon as possible following notification by the military and provide if available, a copy of the military order once received.
- 5.2 The department supervisor, in turn, will prepare and submit an ESR to Human Resources within one week of receipt, along with a copy of the military orders and "Leave Request Form". This information should be submitted prior to departure.
- 5.3 Military leave will be granted for time not under military orders for diagnosis or treatment of any service-connected sickness or disability, for obtaining or sustaining any disability rating, or for treatment in any government facility.
- 5.4 If time is required over and above the maximum paid time authorized, employees may use accrued vacation leave or compensatory time, accrued holidays, or a leave of absence without pay.
 - a. Salary continues only for the amount of paid leave used. Employees can only use vacation, holiday, and accrued compensatory time as paid accrued leave. All leave will

CITY OF GRAND PRAIRIE

HUMAN RESOURCES POLICIES AND PROCEDURES

continue to accrue while on paid leave and city paid benefits such as TMRS and life insurance will continue. For employees who are called to active duty under the President's program in response to the September 11, 2001, terrorist attacks, supplemental pay will be paid for a period of not to exceed 180 days after the 15 days of city-provided military leave has been used. The supplemental pay will pay the difference between the employee's normal (city) pay and the employee's military pay.

- b. The City has no obligation to pay an employee on military leave for training days that are on a regular day off or outside of work time.
- c. All employees using military leave should plan for the disbursement of any pay received from the City during their military leave/absence (i.e. Check Reverse form). No funds will be released without proper authorization.

6.0 Benefit/Leave Accruals When on Leave of Absence Without Pay:

- 6.1 Employees who return to work after having served on active duty for 90 days or less will be treated as having been continually employed for purposes of seniority and benefits such as accrual of vacation and sick leave and any pay increase the employee would have received had the employee been at work.
- 6.2 Retirement: city contribution ceases; service credits for military time will be credited upon return.
- 6.3 Health insurance: benefits may only be continued at employee's expense (employee and dependent coverage).
- 6.4 Longevity will accrue during the military leave. Seniority will also be adjusted to include time spent on the military leave.

7.0 Return from Military Leave of Absence:

- 7.1 If business necessitates, the regular staff position of the departing employee may be filled temporarily and made available to the employee upon their return provided the employee meets re-employment criteria in accordance with Section 7.4 below.
- 7.2 At the end of military duty, the employee shall report to work on their first scheduled workday.
- 7.3 Upon return, the employee shall receive the same base pay that the individual would have received had they never left, including any salary plan adjustments which would have accrued during their leave. Salary adjustments do not include merit increases that may have been earned during the time the employee was on military leave.
- 7.4 Employees shall be entitled to re-employment upon their return from military leave provided they:
 - a. receive an honorable discharge, or its equivalent, from active duty service
 - b. apply for re-instatement within 90 days of discharge from active duty, or if the military call-up is for less than 90 days, employees have only 31 days to apply for re-instatement, and are
 - c. physically and mentally capable of performing the duties of the position involved. If an employee is disabled during military service and cannot perform the duties of their position, the individual is entitled to the nearest comparable position for which they are qualified and able to perform. If such a position is not available, the employee may apply for any future positions for which the individual is qualified.

CITY OF GRAND PRAIRIE HUMAN RESOURCES POLICIES AND PROCEDURES

8.0 Misuse/Misrepresentation:

- 8.1 Misuse or misrepresentation of the use of military leave is a serious offense and will result in disciplinary action up to and including termination. This includes not returning to work on the next regularly scheduled workday/shift after completion of any military leave.
- 8.2 Filing of false military documents or orders for the purpose of receiving military leave is also a serious military offense and is covered under the Uniform Code of Military Justice (UCMJ). This City takes the position that if any such documents are discovered, the offense will be reported to the appropriate unit or command authority.

9.0 Appendices:

None.