



# Rancho Los Amigos National Rehabilitation Center

## ADMINISTRATIVE POLICY AND PROCEDURE

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**SUBJECT: MILITARY LEAVE**

**Policy No.: A217**  
**Supersedes: October 30, 2006**  
**Reviewed: September 4, 2013**  
**Page: 1 of 3**

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**PURPOSE:**

to provide guidelines for employees who are ordered to serve in the military

**POLICY:**

California Military and Veterans Code Sections 395 and 305.01 entitles County employees 30 days paid military leave per fiscal year for service in the Armed Forces Reserves

Any County employee who is ordered to active reserve duty, active duty training, or inactive duty training shall be allowed a military leave of absence with pay to participate in such service. The leave can be for as long as 180 consecutive calendar days, including reasonable travel.

Any full-time employee who has completed one year of County service prior to their call-up are entitled to receive their regular salary for the first 30 days while on active duty or active training and the remainder of the 180 days (if needed) as unpaid leave

Because these employees are in a paid leave status during the first 30 days, the employer is obligated to make those payments it would otherwise make to continue health benefits that month

If the leave is for a period longer than 30 days and overlaps 2 fiscal years, only the first 30 calendar days of that particular leave are paid. At the expiration of this period, employees would be entitled to pay for such benefits themselves. "Weekend Drills" and week night training meetings are not considered active military service and/or training, and are not covered by this provision.

Upon return to work, it is the employee's responsibility to submit verification of military service to the Human Resource Director confirming actual attendance at the armed services unit for the days reported.

Any undocumented time between expected duty total and actual duty total will be considered Unauthorized Leave Without Pay.

**REEMPLOYMENT RIGHTS:**

An employee who resigns County service to join any branch of the Armed Forces of the United States will be restored to his/her former position or a substantially equal kind and level position if:

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EFFECTIVE DATE: January 1, 1982

COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES

APPROVED BY:

Signature(s) on File.

- active service in the Armed Forces generally was not more than 4 years,
- completion of active duty was satisfactory,
- the employee is qualified to perform the duties of his/her position or if he/she is disabled during military service and cannot perform the duties of his/her old job, the employee may be entitled to the nearest comparable job he/she is qualified to perform, and,
- the employee makes application for restoration within the time specified by law.  
If an employee is restored under these Department of Labor guidelines, his/her time-in-class will have continued, and provisions such as step increases will be given as if the employee never left the position. However, subsequent to a resignation, a position need not remain unfilled for 4 years awaiting the possibility of the employee's return.

#### PROCEDURE

Employee obtains a "Request for Military Leave" form from his/her timekeeper or the Human Resources Office (Attachment I). As with all situations where employees are entitled to military leave, whether paid or unpaid, the employer must be provided with adequate documentation to support entitlement

Employee completes "Request for Military Leave" form and presents it, along with the original Military Order to his/her supervisor

Supervisor reviews the request for completeness, initials and forwards the request and a copy of the Military Order to the Department Head/Service Chief for approval. The original Military Order shall be returned to the employee

The Department Head/Program Chief/Department Chair signs the request and forwards both documents to the Human Resources/Payroll Office

The Human Resources office reviews the requests for eligibility, and forwards the request to the Human Resources Director for approval and signature

Once approved/denied by the Director, the request, along with the Military Order is distributed as follows:

Original: Return- o-Work File  
Copy: Payroll Office

#### Time Card

The employee shall code the time card "024" in the reason code column.

Once the time card is received in the Payroll Office, Payroll will:

- ensure the time card is coded correctly according to the Military Order and Request for Military Leave

SUBJECT: MILIARY LEAVE

PolicyNo.: A217  
Supersedes: October 30, 2006  
Page: 3 of 3

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- confirm attendance with the Armed Forces Reserve Unit.
- complete the verification section (page 2) of the Request For Military Leave

REFERENCE: California Military and Veterans Code-Sections 395 & 30501  
US Code (Veteran's Reemployment Rights Statute) Section 404(a) Part III of Title 38  
Los Angeles County Code, Section 620.080(C); Civil Service Rule 16 03  
Department of Health Services, Policy 756.2

Revised: July 15, 2003  
Reviewed: GLT:mm March 21,2010  
AC:g 9/2013

COUNTY OF LOS ANGELES- DEPARTMENT OF HEALTH SERVICES  
OFFICE OF HUMAN RESOURCES MANAGEMENT

REQUEST FOR MILITARY LEAVE

EMPLOYEE NAME: -----CC;O;;-;C;;-;;-; =:----- CLASSIFICATION: \_\_\_\_\_  
(PLEASE PRINT)

EMPLOYEE NUMBER:-----

REGION /FACILITY:\_\_\_\_\_ DIVISION:\_\_\_\_\_

Information Regarding Military Leave

1 California Military and Veterans Code Sections 395 and 305 01 entitle County employees thirty days total paid military leave per fiscal year for service in the armed reserves:

Any County employee who is ordered to active reserve duty, active duty training, or inactive duty training shall be granted a leave of absence to participate in such service The leave can be for as long as 180 consecutive calendar days, including reasonable travel The employee receives the first 30 days as paid and the remainder of the 180 days (if needed) as unpaid leave

2 Military Leave for 30 calendar days or more requires completion of a Leave of Absence Request form signed by both the Division Head and the Personnel Officer

3 Upon return to work, a personnel worker will confirm actual attendance at the armed forces reserve for the days reported via the contact provided by Employee at the time of release

4 Any undocumented time between Expected Duty Total and Actual Duty Total will be considered LEAVE WITHOUT PAY

To Be Filled In By Employee PRIOR To Duty

REQUEST:

Command: \_\_\_\_\_

Location:\_\_\_\_\_ Phone# ( \_ ) \_\_\_\_\_

Expected Duty Time: From: / / To: / / #of Days  
(Date) (Date)

Expected Traveling Time: From Home: To Base: #of Days \_\_\_\_\_

From Base: To Home: #of Days: \_\_\_\_\_

TOTAL: (a)

I have read the above information regarding Military Leave and agree to comply

Employee Signature: \_\_\_\_\_ Date: / /

APPROVALS:

Division Head:----- Date:\_\_\_\_\_

Personnel Officer:\_\_\_\_\_ Date:\_\_\_\_\_/

**REQUEST FOR MILITARY LEAVE (Cont.)**

To Be Filled In by Employee POST Duty

Employee is responsible for submitting all paperwork to extend or reduce duty time,. Any undocumented time taken by reservist will be reservist's own expense,

Actual Duty Time:	From: / / (Date)	To: / / (Date)	#of Days
Actual Traveling Time:	From Home: _____	To Base: _____	#of Days: _____
	From Base: _____	To Home: _____	#of Days: _____
			TOTAL: _____ (a)

Attachments: Yes    
 No

To Be Obtained By Employee At Time of Release

Contact for Confirmation of Actual Duty Dates: \_\_\_\_\_  
Reserve Unit Personnel Office Representative

Contact telephone# ( \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ )

Employee is responsible for distribution of all copies,. Copies to be disbursed upon day of return to work,. Failure to comply may result in UNPAID LEAVE,

DISTRIBUTION:

- Original: Employee's Personnel Office (Personnel Leave File)
- Copies: Employee's Immediate Supervisor
- Employee's Payroll Office
- Employee

Actual Duty Dates Confirmed: \_\_\_\_\_ by: \_\_\_\_\_  
(Date) Personnel Office Representative

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FISCAL YEAR (FY) BALANCES:

(Enter Current Fiscal Year)

	<u>PAID LEAVE</u>	<u>UNPAID LEAVE</u>
Number of FY days entitled*:	_____	_____
Days used current request:	_____	_____
Current FY Balances:	_____	_____

<b>CURRENT REQUEST:</b>	
Expected Days	(a)
Actual Days	(b)
Days PAID LEAVE	
Days UNPAID LEAVE	

\*Carry Current FY Balances forward from last request