



MEMO

TO: Administrative and Personnel

FROM: Monica Hughes

DATE: April 8, 2021

RE: Military Leave Policy

The Village currently does not have a policy for military leave. We have not had an employee request this leave in the past but now have an employee that will be deployed for at least 1 year beginning in late May. Staff would like the committee to consider implementing a policy and also to address the current employee's benefits since they have not been specifically identified at this time.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is the federal law that defines an employer's obligations.

- USERRA requires an employer to allow the employee unpaid leave to satisfy their military obligations. USERRA also provides that an employee who is absent from work for military service is "entitled to such rights and benefits not determined by seniority".
- The law also guarantees employees continuation (at the employee's expense) of health benefits for the first 24 months of military service.
- Employees on military leave are entitled to the same non-seniority based benefits provided to employees on other leaves.

Attached is a draft of policy developed by staff for discussion and consideration. We believe this will help clarify the Village's obligations and the employee expectations.