

# Village of Elm Grove

## Military Leave

The Village will grant an employee unpaid time off from work to fulfill their military obligation as defined under USERRA. Employee should notify supervisor of obligations as soon as possible to facilitate department scheduling. Military orders should be provided to verify leave of absence. It is the intent of the Village of Elm Grove to comply with current federal and state laws in conjunction with military leave. The below policy will be changed as need to maintain compliance.

### **Military Leave of less than 30 consecutive days**

For leaves of less than 30 days the employee will remain on active status with existing benefits in place as an active employee. Employee time off benefits will continue to accrue and employee will be responsible for their share of any insurance premiums.

### **Military Leave of greater than 30 consecutive days**

For a leave of greater than 30 consecutive days the employee will be placed on an unpaid leave of absence as of their last day of active work. They will remain as an employee with this status until their return from duty. At that time upon their request to return to duty they will become active employees with seniority as though there was no break in service.

#### **Benefits while on leave:**

#### **Retirement: Village participates in the Wisconsin Retirement System**

Per the Wisconsin Retirement System procedure the employee is placed on unpaid military leave. There is no financial obligation for the Village during this time. Upon return to active work status the employee has the choice to make up all, some or none of the total WRS employee-required contributions. This can be done over a period equaling 3x the period of service or 5 years, whichever is earlier. At that time the Village as the employer will be responsible for the employer contributions and any interest that would have accrued on both the employee and employer contributions.

#### **Life Insurance: Village participates in life insurance program through the WI State Employee Trust Fund**

As a participant to the state sponsored program the Village will adhere to the procedures of the plan. The employee will have 2 choices. <sup>i</sup>

1. The employee may elect to continue the insurance and may do so for up to 36 months. The employee is responsible for payment of the premiums and must make arrangement for payment during the unpaid leave.
2. The employee may elect to let coverage lapse during leave and may then re-apply upon return to active status. The employee will not need to provide evidence of insurability.

### **Health and Dental Insurance:**

An employee on unpaid leave of absence may remain on the Village's health and dental plan for up to 12 weeks (3 months). During that time the employee is responsible for the employee share of the monthly premium and must arrange for timely payment to the Village. The employee may choose to continue after this 3 month period at his/her cost for the entire premium and health reimbursement costs the same as a COBRA enrollee.

### **Vacation, Sick and Holiday**

An employee on unpaid leave will earn benefits for 12 weeks (3 months). After that point during the unpaid leave no benefits will accrue. When the employee returns to active employment, benefits will begin accruing as of that date. If the department the employee works in posts benefits as of January 1 for the upcoming year- the employee will only be eligible to use the accrued benefits through the 12 weeks after being placed on unpaid status. Any additional hours posted on January 1 will be forfeited. If the time has been used prior that was not earned the employee will owe the village for that time and it will be deducted from final paychecks prior to going on unpaid status.

Example:

Employee anniversary date September 1 earns 80 hours (10 days) of vacation annually and 10 holidays. Both are posted on January 1.

Employee military service begins June 1

Employee used 6 holidays and 10 vacation days prior to June 1 leave.

Employee earned 3 holidays between January 1- June 1 so would owe the Village 3 holidays pay

Employee earned 8.34 days of vacation from prior September 1-June 1 so would owe the village 1.66 days of vacation.

### **Disability Insurance**

The Village provides long-term disability and short-term disability to full-time employees. The Village contracts with outside insurance providers for this coverage. As part of the plan employees must be actively at work and being paid. Both of these plans would terminate on the last day the employee is actively working. Upon return from military leave the employee would reapply for coverage.

---

<sup>1</sup> Wisconsin Public Employers Group Life Insurance Program manual page 71