



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

DATE: July 9, 2015  
MEMO TO: S. Michael Rummel, Chair  
Finance and Administrative Committee  
FROM: Mary E. Kann  
Director of Administration  
SUBJECT: Change to Personnel Policy and Procedures 4.3

**RECOMMENDATION:** Approve changes to the Procedure section of Personnel Policy 4.3 - Military Training and Leave of Absence.

**BACKGROUND:** Changes in Illinois Law require local government employers to continue regular compensation for staff during leaves for annual military training. Local government employers are also required to pay a differential between an employee’s regular compensation and his military base pay for weekend training and active duty assignments. District procedure has been updated to incorporate these changes.

**REASON FOR RECOMMENDATION:** Committee approval is required in accordance with District policy.

**REVIEW BY OTHERS:** Executive Director, Chief Operations Officer, Director of Finance, Manager of Human Resources and Risk

**FINANCIAL DATA:** There is no immediate financial impact to this procedure change; however, based on the length of the leave additional staffing costs may be incurred.

**PRESENTER:** Mary E. Kann

<u>APPROVED:</u>	<u>Yea</u>	<u>Nay</u>	<u>Yea</u>	<u>Nay</u>
<hr/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. Michael Rummel, Chair				
<hr/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Pedersen, Vice Chair				
<hr/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steve Carlson				
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Bill Durkin				

Sandra Hart

Aaron Lawlor

Audrey Nixon

## 4.3 Military Training & Leave of Absence

Effective Date: August 15, 1980

Revision Date: May 27, 1994, April 9, 2013, July 15, 2015

### Procedure

1. To ~~apply for~~notify the District of annual training ~~military~~ leave, the employee should submit his Official Orders to his Department Director and the Human Resource division. ~~The Department Director shall notify the Director of Administration and the Executive Director of an employee's military leave.~~ The employee shall enter his timecard as regularly scheduled work days.
2. To receive ~~differential~~full pay ~~for monthly weekend training, basic training leaves, or for any other special or advanced training leaves besides annual training,~~ the employee must supply proof of government payment~~remit~~ to the Administration~~Finance~~ Department. ~~the payment he received from the military,~~ within fifteen (15) days of receiving military payment~~receipt~~. The District will calculate the differential and make the pay adjustment on the next regular payroll. ~~A full accounting of the money will be made. A copy will be given to the employee for tax purposes.~~
3. An employee called to active duty is eligible for differential pay. The employee must supply proof of government payment to the Administration Department within fifteen (15) days of receiving military payment. The District will calculate the differential and make the pay adjustment on the next regular payroll. An IMRF eligible employee called to active duty will have their full wages reported to IMRF and will be required to pay the full employee portion ~~rate~~ each pay-period while they receive the differential.
43. ~~The~~An employee returning from an active duty assignment lasting longer than 60 (sixty) days must ~~make re-application for employment~~notify the District of his intent to return to work within ninety (90) days after he is relieved of military service, or not later than two (2) years if hospitalized when discharged. He shall be reinstated at the current rate of pay for the position.
54. The District will ~~reemploy~~reinstate service members returning from a period of service in the uniformed services if those service members meet five criteria:
  - The person must have been absent from a civilian job on account of service in the uniformed services;
  - The person must have given advance notice to the District that he or she was leaving the job for service in the uniformed services, unless such notice was precluded by military necessity or otherwise impossible or unreasonable;
  - The cumulative period of military service with the District must not have exceeded five years;

- The person must not have been released from service under dishonorable or other punitive conditions; and
- The person must have reported back to the District job in a timely manner ~~or have submitted a timely application for reemployment,~~ unless timely reporting back or application was impossible or unreasonable.

6.5. USERRA provides that returning service members are to be reemployed in the job that they would have attained had they not been absent for military service (the "escalator" principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority. The District will make reasonable efforts (such as training or retraining) to enable returning service members to qualify ~~for reemployment~~ for re-instatement. If the service member cannot qualify for the "escalator" position, the District will make every effort to reemploy the individual, if qualified, in any other position that is the nearest approximation to the escalator position and then to the pre-service position. While an individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights, if any, accorded other similarly-situated individuals on non-military leaves of absence. The time limits for returning to work are as follows:

- **Fewer than 31 days service:** By the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight hour rest period. If this is impossible or unreasonable, then as soon as possible.
- **31 to 180 days:** The employee must apply for re-instatement ~~employment~~ no later than 14 days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
- **181 days or more:** The employee must apply for re-instatement~~employment~~ no later than 90 days after completion of military service.
- **Service-connected injury or illness:** Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing.