

POLICY NUMBER:

APM - 1 - 05

DATE:

February 17, 2005

ISSUED BY:

Linda Haskins

City Manager/Designee

CITY OF MIAMI



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SECTION
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ADMINISTRATIVE POLICY

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SUBJECT: MILITARY LEAVE SUPPLEMENTAL PAY AND BENEFITS

PURPOSE: To establish a policy providing for supplemental pay and benefits to those employees who are on active military leave, and the duration of such pay after return from military duty while awaiting reemployment with the City of Miami. To determine the need to continue or terminate such benefits yearly and to advise the City Commission accordingly.

I. SUPPLEMENTAL PAY AND BENEFITS

The City Manager pursuant to Resolution Numbers 04-0065, 03-265, 02-591, 01-1056, and Section 115.15, Florida. Statute (2004), is authorized to provide the following to City of Miami employees who are members of the United States Military Reserve or Florida National Guard who are called to active duty:

1. Supplemental pay to City of Miami employees called to active duty to bring his/her salary, when combined with military pay, to the level earned at time of call-up to active duty.
2. If an employee elects not to continue with the City's health coverage while on military leave, he/she and his/her family will be provided with health coverage through The Office of Secretary of Defense CHAMPUS program (Civilian Health and Medical Program of the Uniformed Services). Upon return from active duty, the employee is responsible for notifying the Department of Employee Relations of his/her return in order to avoid disconnect from health coverage and to allow the governing department sufficient time to process the necessary paperwork.

II. IMPLEMENTATION OF SUPPLEMENTAL PAY AND BENEFITS

Effective August 1, 2004:

1. Supplemental pay and benefits, as outlined above, will begin the moment the employee leaves for Active Military duty which is

contingent upon the employee presenting Orders to the Department of Employee Relations, detailing length of service and a letter from their respective unit stating the salary to be received from military service.

2. The Department of Employee Relations shall review the employee's paperwork and if determined that the employee qualifies under the aforementioned benefits, then the Department of Employee Relations will prepare the necessary paperwork on behalf of the City Manager.
3. The Department of Employee Relations will forward copies of all military orders to the Department of Risk Management Group Benefits Division in order to continue health insurance as outlined above.
4. Employees on authorized military leave will continue receiving benefits as outlined above. The time-span of receiving benefits is contingent upon duration of uniformed service (see Section III Reemployment Procedures).

III. REEMPLOYMENT PROCEDURES

Effective August 1, 2004

1. An employee's reinstatement from military duty is strictly based on the duration of uniformed service as prescribed by Uniformed Services Employment and Reemployment Rights Act (USERRA):
 - a. For periods of military service up to 30 days, an employee must report back to work at the next regularly scheduled shift on the day following release from the military, safe travel home, and 8 hours of rest.
 - b. Following a period of service of 31-180 days employees must apply for reemployment within 14 days after release.
 - c. Following a period of service of 181 days or more, an employee must apply for reemployment within 90 days after release.

IV. TERMINATION OF SUPPLEMENTAL PAY AND BENEFITS

Effective August 1, 2004:

1. Proof of separation date from military payroll include one of the following forms supplied by the military a DD 214: endorsed orders, or a letter from the employee's military unit. This documentation shall be submitted to the Department of Employee Relations within one of the mandated durations of uniformed service outlined above, whichever applies to the employee, in order to cease supplemental pay.
2. The length of time a City of Miami employee performs uniformed service determines the duration of supplemental pay to each employee relieved of military duty.
3. Depending on when the employee submits notice of return from active duty per the mandated duration of uniformed service outlined above, the notice will be sent by the Department of Employee Relations to the Department of Risk Management to cease those benefits provided herein.
4. Should an employee separated from military payroll be paid for a period more than the uniformed service timeline mandates, the employee will be responsible to repay the City of Miami any monies paid via payroll deduction upon reemployment.
5. Should an employee choose not to return to employment with the City of Miami after returning from active duty, and if they received supplemental pay beyond the allotted uniformed service timeline, then any amount overpaid by the City will be deducted from sick and or vacation balances before any payout of balances to the employee is made.

PROCEDURES:

All City employees who are leaving on active military duty will be provided with a copy of this policy and agree to abide by the terms set forth in this policy.

ADDITIONAL INFORMATION:

An employee can find the complete text of the Uniformed Services Employment and Reemployment Rights Act (USERRA) at www.esgr.com; this is the web site of the National Committee for Employer Support of the Guard and Reserve (ESGR). An employee may also reach ESGR at 1-800-336-4590. USERRA is codified in Title 38, United States Code, Sections 4301 through 4333 (38 U.S.C. 4301- 4333).