



Request for Military Service Leave

DATE: _____

EMPLOYEE NAME: _____

EMPLOYEE #: _____

I have been activated and received orders. I will perform military service with the _____ beginning on _____ and ending on _____.

My absence from work for this period of military service is protected by the Uniformed Services Employment and Reemployment Rights Act, Title 38, United States Code Sections 4301-33.

My last day at work with St. Johns County before I begin my military service will be _____.

I expect to return to work with St. Johns County on or about _____.

During my absence, I can be reached at:

Phone: _____ Email: _____

Address: _____

I (Do /Do Not) desire to use my paid vacation when or if all paid leave is exhausted. I understand that I am not required to use my vacation or holidays to cover military leave. I also understand that vacation and sick time may not accrue during my military service time.

I (Do /Do Not) desire to continue my health insurance, per Title 38, United States Code Section 4317. I have contacted the Personnel Services Department to obtain premium information and set up a payment schedule if I do desire a continuation. I understand it is my responsibility to notify Personnel Services, within 30 days, of my return to work and/or if I have a life event change while I am on Military duty.

I understand that it is my responsibility to notify my supervisor and time keeper of my military leave.

Questions about the provisions of the Uniformed Services Employment and Reemployment Rights Act can be directed to the National Committee for Employer Support of the Guard and Reserve (Department of Defense) at 800.336.4590 or by visiting www.esgr.org.

I have read and understand the St Johns County policy concerning military service leave.

EMPLOYEE SIGNATURE: _____

Last 4 of Social Security Number: _____

*****Return completed form to Personnel Services with copy of activation orders*****

Email: bccbenefits@sjcfl.us | Confidential fax: 904.209.2414

_ To be completed by Personnel Services:

Original Received on: _____ By: _____

St. Johns County Administrative Code - 408.2 Military Service Leave

Employees who require time off work to fulfill military obligations will be treated in accordance with the applicable state and federal law and shall notify their department and Human Resources of upcoming military duty by providing a copy of official orders or appropriate military certification as soon as possible. The County will utilize the fiscal year for the purpose of complying with the annual leave calculation and pay.

Short-Term Military Training and Examinations for Military Service

An employee who is a member of the United States Armed Forces Reserves, or National Guard, shall be entitled to a leave of absence from their position without loss of pay, time or efficiency rating during the period in which the employee is engaged in annual field training, coast defense exercise, or other active duty or training exercises. Such leave with pay shall not exceed that allowed by statute. An employee who is ordered by the Selective Service Board to appear for an examination for induction into the military service shall be granted leave with pay.

LAW YOU SHOULD KNOW

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that provides members of the Armed Forces, Reserves, National Guard or other uniformed services certain rights and protections concerning civilian employment. The law seeks to minimize disruption to the lives of service members by ensuring that they are able to retain their civilian employment and benefits while serving their country, and by providing protection from discrimination because of their service.

DOES THE USERRA APPLY TO ME?

USERRA covers most everyone who has served or will serve in the uniformed services.

USERRA applies to all employers in the public and private sector, including federal employers.

USERRA protections apply to all military service, whether service is voluntary or involuntary.

USERRA does not apply to a state activation of the National Guard, but many states have enacted similar laws to protect service members recalled under state authority.

SERVICE MEMBER/EMPLOYEE OBLIGATIONS

NOTICE: The service member is responsible for giving the employer notice of the possibility of an absence before active service begins. Notice is not required where prohibited by military necessity or where it would be unreasonable, but members are strongly encouraged to provide written notice to their employers 30 days in advance if possible. Notice may also be provided to the employer by the member's command.

RECORDS: The service member should also make reasonable efforts to maintain records that may be helpful upon return from an absence, including copies of signed orders.

RETURN TO WORK: Depending on the length of absence, the service member will be required to report back to work or apply for reemployment within a specified period of time:

- Two (2) weeks for absences of 31-180 days or
- Ninety (90) days for absences of 181 days or more.

BASIC EMPLOYER OBLIGATIONS

Prompt reinstatement. The service member must be reemployed promptly.

Accrued seniority. Service members must be permitted to accrue seniority as if continuously employed.

Training or re-training and other accommodations. The employer is obligated to train or re-train the service member for the job returned to.

Special protection against discharge, except for cause. The employer may not discharge the reemployed service member for 180 days following periods of service of 31-180 days, or for one year where the member's service lasted more than 181 days.

MORE INFORMATION

For information about the Uniformed Services Employment and Reemployment Rights Act or many more topics concerning individual with military connections, visit www.statesidelegal.org or contact your local Judge Advocate General's Corps office.