

COUNTY OF MILWAUKEE
INTEROFFICE COMMUNICATION

DATE : July 6, 2012

Revised

TO : Departments

FROM : Scott B. Manske, Comptroller, Office of the Comptroller

SUBJECT : Military Training Leave Policy

To ensure compliance with County ordinance on Military Training Leave, we are requesting that departments and employees use the following policy regarding the payment for any Military Training Leave.

Overview:

Milwaukee County Ordinance 17.19 is the County rule regarding leaves for military training. This ordinance states that employees may be granted a military leave with pay for periods not in excess of fifteen (15) days annually. The ordinance further goes on to state that employees choosing to be compensated by the County shall submit their net military base pay to the County Treasurer. In other words, an employee, on military training leave, can choose to either be paid by the County or receive their Federal military pay for the training, but not both. This procedure does not apply to those employees who have been deployed to active service.

County Ordinance:

17.19. - Leave for military training.

- (1) In addition to leaves of absence otherwise authorized by sections 17.17 and 17.18, employees who are required to take periods of training for the purpose of retaining status as members in organized units of the reserve corps of the army, navy, air force, marine corps and coast guard, and the national guard and who are ordered to active duty may be granted leave with pay for periods not in excess of fifteen (15) days annually upon submission of evidence of receipt of competent orders.
- (2) No leave shall be granted under the provisions of this section to employees on temporary appointments or to employees who do not hold regular civil service status.
- (3) **Employees shall have the option to receive full county pay during such leave or to retain military pay. Employees choosing to be compensated by the county shall submit their military base pay to the county treasurer.**

Policy:

Any request for use of Military Training Leave, should be accompanied by a signed Military Training Leave form, as attached to this policy.

As discussed below, employees have three options with regards to taking time off for approved military training leave:

- 1) Use accrued County compensatory time including vacation, holiday, personal, or overtime, and provide proper notice to employer that this is for military training.
- 2) Receive County-paid Military Training Leave, up to a maximum of 15 days a year, and reimburse the County for any Federal military pay received by employee.
- 3) Use unpaid military training leave, and retain Federal military pay received.

Use of Compensatory Time:

If the employee is ordered to military training, the employee has the option of using compensatory time in place of Military Training Leave Time, or Unpaid Time Off. The employee requesting to use compensatory time-off would use this time for the regularly scheduled work hours of the employee. Compensatory time includes accrued vacation, personal days, accrued holiday or accrued overtime. The employee may choose which type of compensatory time they wish to use for regularly scheduled work days during military training.

Due to rules on scheduling of off-time, the employee must inform their employer that the time-off is required for military training, and therefore the rules to schedule time-off would not apply. By choosing Compensatory Time for military training the employee will only be reimbursed for Compensatory Time and not for Military Training Leave.

Payment for Military Training Leave:

If the employee wishes to receive paid Military Training Leave, they will need to check the box indicating this preference. By marking the box, the employee understands that they will receive County paid Military Training Leave.

1. Prepare the Military Training Leave Form, and sign the form. Forward the Military Training Leave form to the Supervisor for approval
2. The Supervisor will then give the form to the payroll clerk, who will maintain a copy for their records. The payroll clerk will submit a copy of the Leave form to Central Payroll for their records.
3. In the payroll period which Military Training Leave is to be taken, the employee will code their time to paid Military Training Leave.
4. The payroll clerk will verify that military training leave was coded in the week that is indicated on the Military Training Leave form.
5. Central Payroll will verify that any employees who have paid military training leave during a pay period are accompanied by a Military Training Leave form. Any paid Military Training Leave that is not accompanied by a Leave form, will be reversed and changed to unpaid Military Training Leave.
6. Upon return from receipt of the federal military pay for training, the employee will turn in the check stub and a personal check for the net pay received from the military.
7. The department will deposit the funds into account 5198 for the employee's payroll unit.
8. A copy of the cash receipt and the military pay stub will be sent to Central Payroll.
9. Central Payroll will then adjust the taxable income of the employee, so that they are not double taxed for both the federal and County military training pay.
10. If the employee does not return the funds, within two months after returning from such leave, Central Payroll will notify the department that Central Payroll will reverse the County paid Military Training Leave, as authorized on the attached Military Training Leave form.

Unpaid Military Training Leave:

If the employee wishes to receive unpaid Military Training Leave, they will need to check the box indicating this preference. By marking the box, the employee understands that they will not receive County paid Military Training Leave.

1. Forward the Military Training Leave form to the Supervisor for approval.
2. The Supervisor will then give the form to the payroll clerk, who will maintain a copy for their records. The payroll clerk will submit a copy of the Leave form to Central Payroll for their records.
3. In the payroll period which Military Training Leave is to be taken, the employee will code their time to Unpaid Military Training Leave.
4. The payroll clerk will verify that unpaid military training leave was coded in the week that is indicated on the Military Training Leave form.
5. Central Payroll will verify that any employees who have unpaid military training leave during a pay period are accompanied by a Military Training Leave form.
6. No additional procedures need to be performed by either by the employee, department or central payroll.

In the future, please use the attached form for those requesting military training leave.

Scott Manske
Controller

MILWAUKEE COUNTY MILITARY TRAINING LEAVE FORM

To:

From:

Department:

Employee ID:

Date:

Subject: Request for Military Training Leave

I understand that under County Ordinance 17.19 – Leave for Military Training, I may request up to fifteen (15) days of paid Military Training Leave, upon submission of evidence of receipt of such orders.

17.19. - Leave for military training.

(1) In addition to leaves of absence otherwise authorized by sections 17.17 and 17.18, employees who are required to take periods of training for the purpose of retaining status as members in organized units of the reserve corps of the army, navy, air force, marine corps and coast guard, and the national guard and who are ordered to active duty may be granted leave with pay for periods not in excess of fifteen (15) days annually upon submission of evidence of receipt of competent orders.

I am requesting such leave for the period of _____ to _____. I have attached a copy of my orders to this form. If my orders change, I will notify you of such change.

I choose to receive compensatory time-off for my scheduled work hours while I am at training. My department will code my regular work schedule hours for military training as _____.

I also understand that County Ordinance 17.19 (3) states that employees have the option to receive County Military Training Leave pay for this time, or to retain military pay. If I choose to take County Military Training Leave pay for the military training, I will reimburse the County for any military pay that I receive.

I choose to receive County paid Military Training Leave in lieu of my military pay for the time that I am on training. Upon receipt of my military pay, I will reimburse the County for the net pay received from the military. My department will submit proof of the payment to the County Central Payroll office, including a copy of the Federal military pay stub. Central payroll will adjust my taxable income to reflect the repayment of my Federal military pay, so that I am not taxed twice on this income. If County does not receive the net military pay from you, the County is authorized to reverse my County paid military training pay.

I choose to receive pay from the military and code my time as unpaid military time in lieu of my County paid Military Training Leave or other compensatory time. My department will code my time for military training as military unpaid time off.

Signed:

--	--	--

Name

Date

Employee ID