



ADMINISTRATIVE REGULATION (AR)

MILITARY LEAVE

FESSAM #7A.3

Effective: 1/01/2016

I. POLICY:

Loveland Fire Rescue Authority (LFRA) provides paid and unpaid leave to eligible employees consistent with the requirements of state and federal law. Employees serving in the National Guard or a branch of the Armed Forces Reserves will be eligible for a military leave of absence in order to fulfill their obligations, if called upon, in annual field training obligations, to attend special training sessions, or other responsibilities as required under the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA").

An employee who is on a military leave of absence under this regulation will be regarded as continually employed for up to five years* with LFRA while on voluntary or involuntary service with any branch of the United States Armed Forces or National Guard.

*The five-year limitation may be greater or less, depending on exceptions under "USERRA".

II. PROCEDURE:

LFRA requires that an employee provide verbal or written advance notification of military leave, if possible, to the employee's direct supervisor and Human Resources within 2 weeks prior to the expected leave. No notice is necessary where circumstances make giving notice impossible or notice is precluded by military necessity. Employees are also requested to provide a copy of military orders to show start and anticipated end of duty dates.

To be protected under this leave policy, an employee must have served in the military, "honorably". The employee must return timely to work within the limits outlined under USERRA. If the employee returns to work within 90 days of reporting to duty, the employee will be reinstated to the same job. If the employee returns to work within 91 days or later, the employee will be returned to a job with "like seniority, status and pay".

Compensation and Benefits:

Employees on military leave will not receive regular wages. The first 15 days an employee is on military leave the employee will be paid normal wages minus any military earnings. If the military earnings exceed the employee's normal wages, no payment will be due. In order to receive the first 15 days of pay, a copy of the employee's military earnings statement must be submitted to Human Resources. The employee on military leave is eligible for 15 days of pay (minus military pay) each calendar year. For each 15 days of pay requested, the employee must submit a copy of the military earnings statement within 12 months to receive reimbursement.



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An employee may also elect to use vacation accruals and/or floating holidays while on leave. An employee is not required to use vacation leave and/or floating holidays, and may choose to protect any amount of vacation leave. Human Resources must be notified if the employee chooses to use vacation or floating holiday accruals through the use of the Military Leave form. An employee may not use medical leave, banked medical leave, banked sick, compensatory or administrative leave for a military leave of absence.

A leave is without pay when all (except any protected) vacation accruals are exhausted. Vacation, holidays and medical leave will not accrue after four (4) weeks of unpaid leave. Designated LFRA holidays will not be paid while on an unpaid leave.

An employee and their dependents may continue on LFRA's medical insurance plan for up to 18 months of leave time. LFRA will pay LFRA's contribution for any premiums while the employee is using vacation accruals and during the first four weeks of unpaid leave.

An employee covered under this policy will continue to accrue seniority while actively serving in the military.

LFRA continues its portion of medical and dental insurance coverage for employees on military leave as it does with other employees on leave for the first four (4) weeks of unpaid leave. After those four (4) weeks, an employee may remain on LFRA's benefits by paying both his/her portion of any insurance premium and the Loveland Fire Rescue Authority's portion of any insurance premium while on leave. Semi-monthly premium payments are due the 15th of the month and on the last day of the month preceding each month of unpaid leave. Prepayment of all premiums prior to unpaid leave can be arranged if the employee so requests. Insurance coverage will cease if premium payment is more than 30 days late.

An employee's life and disability insurance coverage will be terminated on the date the employee starts active military duty. Life and disability insurance are reinstated on the date the employee actively returns to work.

Many of an employee's benefits may be impacted, reduced or even denied according to the specific policy provisions if an injury or death occurs during active military duty.

A notification of benefit continuation will be sent to the employee's last known address when an employee is known to be on active military duty.

An employee will not suffer a break in service while protected under this policy. Employees can make up missed contributions to the 401 (a) pension benefit plan within a specified time period of returning to employment (3 times length of military service for up to a maximum of 5 years to make up missed contributions). LFRA will match the employee's made-up contribution at the employee's salary rate at the time of military service.



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Returning from a Military Leave of Absence:

LFRA requires that an employee provide notification to the Human Resources Department at the end of military service. A copy of the military orders may be requested to show start and anticipated end of duty dates. A timely return to work is required in order for all military leave policy protections to be upheld. An employee must return to work on the expected return date or employment may be terminated. A timely return to work period is defined under "USERRA" as:

Military Service Time

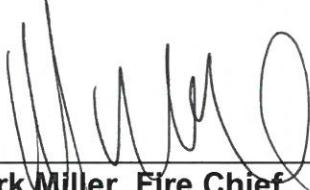
1-30 days
31-180 days
more than 181 days

Timely Return to Work

Safe Travel plus 8 hours, if possible
14 days, if possible
90 days

To be protected under this leave policy, an employee must have served in the military, "honorably". The employee must return timely to work within the limits outlined under USERRA.

III. LFRA FIRE CHIEF SIGNATURE:



Mark Miller, Fire Chief