

# Military Service Leave and Differential Pay Procedures

Policy 603.17

## 1 Introduction

## 2 Scope

## 3 Definitions

## 4 Policy and Procedure Statements

### 4.1 Procedure for Administering Military Leave and Military Differential Pay

A complete Military Service Leave policy is located in the [State Personnel Manual](#).

#### 4.1.1 Active Duty Training and Inactive Duty Training

1. Employee shall provide advance (if possible 30 days) notification and proper documentation of up-coming training or changes to training to supervisor.
2. Supervisor will provide Human Resources with copies of training records to be placed in employees personnel file.
3. When completing monthly time sheet employee shall record training time (up to 120 hours per Federal fiscal year) under MSL leave code.
4. If employee is part-time or three-quarter time a pro-rated portion of the 120 hours will be used. For part-time employees that amount is 60 hours and for three-quarter time employees that portion is 90 hours.
5. If employee has exhausted all MSL leave for the federal fiscal year then the employee may record excess time under vacation time or vacation bonus time. If the employee requests not to use vacation/vacation bonus leave then the employee may use leave without pay.

#### 4.1.2 Physical Examination

1. When an employee is required to receive a physical examination relating to membership in the uniformed services, the employee will record this time on his/her timesheet as MSA (Miscellaneous Paid Administrative Leave)
2. Employee will notify Supervisor as soon as possible as to time needed off to obtain physical. Supervisor may request back up documentation or a Physicians' statement as proof of physical.

#### 4.1.3 Reserve Active Duty

1. When an employee is called to active duty it is the responsible of the Employee to turn in activation papers to his/her supervisor who will in turn forward copies to the Human Resource Office.
2. The employee will be granted up to 30 calendar days of pay based on his/her current salary. This is considered Military Service Leave and will be coded as MSL leave on employee's time sheet. MSL leave is subject to all tax withholdings, benefit withholdings, and retirement withholdings.
3. After the thirty day period, employee shall receive differential pay for any period of involuntary service. This is the difference between military basic pay and the employee's annual State salary, if the military pay is lesser.
4. Military Differential Pay is not subject to retirement withholdings but is subject to tax withholding.
5. The employee or an appropriate military officer of the uniformed. Services will provide a copy of a Leave and Earnings Statement or similar document to the payroll office covering the period of eligible differential pay. This must be turned into the payroll office prior to the 15th of each month for differential pay to be calculated and paid to the employee at the end of each month.
6. Prior to the 30 days of full pay and the differential pay, the employee may choose to have accumulated vacation/bonus leave paid in a lump sum (up to a maximum of 240 hours vacation), exhaust, or retain (part or all) until return. Compensatory time may be exhausted before exhausting any other type of leave. The employee will retain any unused sick leave. Any request for payout of vacation/bonus hours will be made in writing to the Human Resource Office. This payment will be scheduled in the next payroll following request of payout. If request is received on the 15th or later it will automatically be pushed to the next payroll period.
7. While receiving Military Differential pay the employee may write a check payable to ASU for any type of dependent health insurance premiums or other supplemental benefit policies.
8. The supervisor will turn in a timesheet for those employees receiving Military Differential Pay and code such time as MDP

on the timesheet. Timesheets are due into the payroll office at the same time as regular paid employees.

9. The Human Resource Office will do adjustments monthly on employees to account for accrued sick and vacation time while employee is on active duty.

#### **4.1.4 Extended Active Duty And Other Military Leave Without Pay**

1. When an employee has requested military leave as defined under State Policy 10 Section 4, the employee will provide as much advance notice of the requested leave as possible.
2. Prior to beginning LWOP, the employee may elect to have accumulated vacation/bonus leave paid in a lump sum (maximum of 240 hours of vacation leave), exhaust, or retain (part or all) until return. Any unused sick leave will be retained. Any request for payout of vacation/bonus hours will be made in writing to the Human Resource Office. This payment will be scheduled in the next payroll following receipt of payout. If request is received on the 15th or later it will automatically be pushed to the next payroll period.
3. If employee returns to active State service within two years of Discharge or as outlined in State Policy 10 Section 4, then Human Resources will complete the necessary paperwork to obtain service credits through the State Retirement System. ASU pays for coverage in the State Health Plan for at least 30 days from the date of active service pursuant to the orders but employee will be responsible for making payment to the Human Resource office for any dependent premiums.

#### **4.1.5 Civil Air Patrol And State Defense Militia**

1. If an employee meets the criteria as outlined in State Leave Policy 10 Section 5 then he/she becomes eligible for up to 120 hours (pro rated for part time or 3/4 time employees) of Military Service Leave in any calendar year.
2. Employee will provide as much advance notice to the supervisor. Employee will also submit to the Supervisor all required documentation to back up such service time. Supervisor will forward copies of all documents to the Human Resource office so it can be placed in employee's personnel file.
3. Supervisor will complete a time sheet each month and turn it into the Payroll office coding such time as MSL leave. Timesheet will be turned in with other regular time sheets.

#### **4.1.6 Reinstatement**

1. ASU will provide the same treatment to a returning employee as if that employee had not left to perform service. Employee must make request for reinstatement within established time limits as outlined in State Policy 10 Section 6.
2. Employee will provide to his/her supervisor appropriate discharge papers. Supervisor will forward copies to the Human Resource office. The Human Resource office will make necessary adjustments to total service credit time involving longevity pay and submit any changes to the payroll office needed to change employee's job classification or rate of pay.

## **5 Additional References**

## **6 Authority**

## **7 Contact Information**

## **8 Original Effective Date**

## **9 Revision Dates**