



Board of Supervisors Memorandum

September 17, 2013

**Continuation of Emergency Policy Revisions for Military Leave
for Operation Enduring Freedom**

Background

Pima County has standard policies that conform to the military leave requirements of the Federal government and with State law. These policies cover both short-term and long-term leave for employees who may be reservists. These policies further extend to a regular employee inducted, ordered or enlisted into active service of the Uniformed Service and their rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

It is the desire of Pima County to continue to provide maximum benefits to those County employees who are eligible and who will serve during the time of Operation Enduring Freedom.

Recommendation

I recommend that the attached order be adopted by resolution of the Board of Supervisors in support of our Armed Forces and our employees who are mobilized by the President of the United States. Emergency policy changes are effective at the expiration of the previous Resolution 2009-254, which is September 30, 2013, for calculating the 240 hours of military leave. Therefore, County employees who are eligible and who will serve during the time of Operation Enduring Freedom will be granted 240 hours of military leave from October 1, 2013 through September 30, 2015.

Respectfully submitted,


C.H. Huckelberry
County Administrator

CHH/mjk – September 12, 2013

Attachment

RESOLUTION NO. 2013 –

PIMA COUNTY
RESOLUTION TO EXTEND MILITARY LEAVE TO AND CREATE BENEFITS OPTIONS FOR
EMPLOYEES WHO ARE RESERVISTS AND/OR ARE CALLED TO ACTIVE DUTY IN
SUPPORT OF OPERATION ENDURING FREEDOM

WHEREAS, in light of continued efforts of the United States of America in Operation Enduring Freedom, the County continues to provide full support to our Armed Forces and our employees who are mobilized by the President of the United States into the Armed Forces of the United States; and

WHEREAS, Federal law extends special protections to those who are inducted, ordered or enlisted in the Armed Forces of the United States and to the National Guard and Reserve troops as well; and

WHEREAS, in accordance with Arizona Revised Statutes § 38-610, officers and employees shall be granted leaves of absence from their duties without loss of time, pay or efficiency rating on all days during which they are employed on training duty under orders with any branch of the Armed Forces of the United States of America for a period not to exceed thirty days in two consecutive years; and

WHEREAS, it is the desire of Pima County to continue to provide maximum benefits to those County employees who are eligible and who will serve during the time of this crisis, above and beyond, but not in violation of those required by law; and

WHEREAS, it is the desire of Pima County to ensure that the family members of those who are called to defend our country during these critical times are receiving continued medical insurance coverage and proper medical care.

NOW, THEREFORE, BE IT RESOLVED by emergency order of the Pima County Board of Supervisors that an exception continues to be made to Personnel Policy 8-103, thereby granting employees called to active duty by order of the President of the United States and in support of Operation Enduring Freedom 240 hours of military leave for the current and following years instead of the current and previous years established by policy. Specifically, these employees are granted 240 hours of military leave from October 1, 2013, through September 30, 2015.

NOW, THEREFORE, BE IT FURTHER RESOLVED by emergency order of the Pima County Board of Supervisors that regular employees who are mobilized at this time may change their employment status from full-time to part-time. For this purpose only, annual and compensatory leave hours may be less than 20 hours a week and may be in an amount which allows for sufficient deductions needed to cover the employee's share of the medical benefits. Upon a) the employee's exhaustion of his or her annual or compensatory leave banks below the necessary hours to continue coverage or b) a change in status of leave of absence without pay (LWOP), the County will continue to pay the County's share while the employee is on LWOP and mobilized by the President of the United States as long as the employee or his or her power of attorney or spouse elects to continue coverage and agrees to pay the employee's share of medical benefits.

RESOLUTION NO. 2013 - ____

Passed by the Board of Supervisors of Pima County, this 17th day of September, 2013.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board



Deputy County Attorney

TOM WEAVER