

DEPARTMENT OF EMPLOYMENT RELATIONS

- *COMPENSATION & LABOR RELATIONS BULLETIN* -

Date: March 28, 2002

Locator No: CLR/PP-216/MRS-220/OS-86
ADDENDUM

Subject: Rights and Benefits of Employees Called Up
for Active Military Duty and Announcement
of Superseded Bulletins

This addendum is issued to clarify the consequences and processing of the policy, found in Section III. of the original bulletin, that states: "Leave without pay should not be provided until all paid military leave time is exhausted." This addendum also identifies previous bulletins that are obsolete and superseded by this bulletin CLR/PP-216/MRS-220/OS-86.

SECTION I. EMPLOYEES ON MILITARY LEAVE FOR ANNUAL TRAINING OR SIMILAR SHORT-TERM ACTIVE DUTY SERVICE

In general, state statute and labor agreements provide 30 days of leave without loss of pay each calendar year for military service. These 30 days of military leave without loss of pay should apply to the **first** 30 days of qualifying military service each year. Except as indicated in Section II, below, employees should not be placed on leave without pay for military service until the 30 days of military leave without loss of pay is exhausted.

SECTION II. EMPLOYEES ON MILITARY LEAVE FOR EXTENDED PERIODS SPANNING FROM ONE CALENDAR YEAR INTO THE NEXT

Military conflicts may result in employees being activated for periods of continuous military service spanning from one calendar year into a portion or all of the next calendar year. To facilitate the administrative process, and to avoid situations in which employees who are on military leave from one calendar year into the next calendar year are automatically placed into paid leave status, the following procedures should be followed.

When an employee is on military leave without pay (LWOP) at the end of one calendar year with his or her active military duty service continuing into the next year, the employing agency should continue this employee on military LWOP. Subsequently, military leave without loss of pay is provided upon receipt of the employee's appropriate military pay vouchers. The paid military leave request is processed using an effective date of January 2, or whichever day is considered the first working day of the year for that particular employee.

Example: A full-time employee who works a standard Monday through Friday schedule begins active military duty in October 2001, and continues to be in active duty status through April 30, 2002. The employing agency provides the employee with 30 days of military leave without loss of pay in 2001 (the first 30 work days in the period) and subsequently continues this employee on unpaid military leave through the end of the active duty. Upon return to work in May of 2002, the employee requests 30 days of military leave without loss of pay for 2002, providing the agency with the necessary military pay vouchers. The employing agency processes the request, adjusting the employee's pay and benefits retroactively. The employee is placed in military leave without loss of pay status from January 2, 2002 through February 13, 2002. This period entitles the employee to receive 3 paid holidays, December 31, 2001, January 1, 2002 and January 21, 2002.

ADDENDUM

SECTION III. BULLETINS SUPERSEDED BY THIS BULLETIN AND ADDENDUM

The following bulletins are obsolete and may be destroyed:

CC-270/OS-50, dated September 4, 1990;

Addendum dated January 31, 1991, renumbered CC-270/OS-50/CB-49;

Addendum dated May 10, 1991

OS-53*/CB-51/CC-283, dated February 11, 1991

OS-53*/CC-292/CB-54, dated June 17, 1991

**These bulletins shared the same OS locator number.*

SECTION IV. REFERRAL OF QUESTIONS

Questions regarding nonrepresented employees should be directed to John Wiesman at (608) 266-3381, email at John.Wiesman@der.state.wi.us, or Paul Ostrowski at (608) 267-0343, email at Paul.Ostrowski@der.state.wi.us, or Lynn Maulbetsch at (608) 267-5164, email at Lynn.Maulbetsch@der.state.wi.us, in the Bureau of Compensation. You can also fax the Bureau of Compensation at (608) 267-1020.

Questions regarding represented employees should be addressed to Allen Cottrell at (608) 267-7240, email at Allen.Cottrell@der.state.wi.us, or Mark Wild at (608) 266-9564, email at Mark.Wild@der.state.wi.us, in the Bureau of Collective Bargaining (BCB). You can also fax BCB at (608) 267-1020.

Questions regarding application for reemployment or restoration of classified employees upon return from active duty should be directed to Denny Huett, Division of Merit Recruitment and Selection (DMRS) at (608) 266-7296, email at Denny.Huett@der.state.wi.us. You can also fax DMRS at (608) 267-1000.

Peter D. Fox, Secretary
Department of Employment Relations

James A. Pankratz, Administrator
Division of Compensation and Labor Relations

Michael Soehner, Administrator
Division of Merit Recruitment and Selection