



POLICY #3445 Military Leave

EFFECTIVE DATE 1/25/2024

VERSION # 2

DATE OF LAST REVISION 12/22/2023

NEXT REVIEW DATE 1/1/2026

APPLIES TO

Division Districtwide

Sub-Division Human Resources

VERSION	REVISION DATE	DESCRIPTION OF CHANGE/SUPERSEDE	AUTHOR
1	07/01/2010	Board Approved Employee Handbook	General Manager
2	12/22/2023	Added language for Voluntary Civil Service Leave and Civil Air Patrol Leave (Labor Code sec. 230.3 & Labor Code secs. 1501 - 1503)	Michelle Niven

CONTENT

Any employee requesting or requiring a military-related leave of absence must notify their Division Manager and the Human Resources Division as soon as possible. The District provides military leave in accordance with applicable state and federal law. The policy regarding military exigency leave pursuant to the FMLA is also set forth in a separate District policy.

Voluntary Civil Service Leave

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency rescue personnel. This leave is unpaid. Employees are also eligible for unpaid leave for required training. When taking time off for emergency duty, the employee must advise their supervisor before doing so, giving as much notice as possible.

Official volunteer firefighters, reserve peace officers or emergency rescue personnel may take up to a total of fourteen days per calendar year to engage in fire, law enforcement or emergency rescue training.

Civil Air Patrol Leave

No employee with more than 90 days of service shall be disciplined for taking time off to perform emergency duty as a volunteer in the California Civil Air Patrol. If you are a Civil Air Patrol volunteer, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, the employee must advise their supervisor before doing so, giving as much notice as possible.

Up to 10 days of unpaid leave for duty may be taken each year. However, leave for a single emergency mission cannot exceed 3 days, unless the emergency is extended by the entity in charge of the operation and the extension of leave is approved by the General Manager.

Policy #3445 – Military Leave

The employer and employee can negotiate for the employer to maintain the employee’s benefits during the leave at the employer’s expense. Employees cannot lose benefits that accrued before the date on which the leave began.

California Family Military Leave

Employees who work an average of 20 or more hours per week may be eligible for an unpaid leave of absence for up to 10 days to spend with their spouse or registered domestic partner who is a “qualified member” of the U.S. Armed Forces, National Guard or Reserves. The qualified military servicemember must be on leave from deployment during a period of military conflict as defined under Section 395.10 of the Military and Veteran’s Code. A “qualified member” is a member of the U.S. Armed Forces who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States, or a member of the National Guard or Reserves who has been deployed during a period of military conflict.

The employee must provide the District with a written request for the leave within two business days of receiving official notice that the qualified member will be on leave from deployment. The employee must also provide documentation certifying that the qualified member will be on leave from deployment during the time that the employee requests the leave. Available vacation may be used during this leave.

The District will not retaliate against employees who request or take military spouse leave. The District will reinstate any employee to his/her position upon return from military spouse leave.

Authority: Labor Code sec. 230.3 & Labor Code secs. 1501 – 1503; Uniformed Services Employment and Reemployment Rights Act (USERRA)

Michelle Niven *Michelle Niven*
Author (print and sign)

02/13/2024
Date

[Signature]
Annabel Grimm
General Manager

13 Feb 2024
Date

Approved by the Board of Directors on: **January 25, 2024**