



HR Procedures Memorandum #16 – Administration of Military Leave


Procedures Memorandum Approval Date: August 1, 2025

Approved:


Alexander Banks VI, City Manager


Date


Angela K. Clem, Director of Human Resources


Date

Effective Date: October 1, 2025

Expiration Date: N/A

I. PURPOSE

The purpose of this memorandum is to provide procedures for administration of the City's Military Leave policy, subsection 6.14. This procedural memorandum complies with the minimum requirements of federal and state requirements. Additional information is available from the Department of Labor – Uniformed Services Employment & Reemployment Rights Act (USERRA).

II. POLICY

The City of Harrisonburg will grant military leave with or without pay to employees for active duty in the armed services or reserve forces of Virginia or the United States in accordance with federal and state law. See City of Harrisonburg Policy 6.14, Military Leave.

III. PROCEDURES FOR REQUESTING MILITARY LEAVE

Employees requesting military leave must provide verbal or written notification of the need for leave to their supervisor. This information is then forwarded to the Human Resources Department and Finance Department. An employee shall give the City 30 days' notice of their need for military leave if the leave is foreseeable. If it is not possible to give 30 days' notice or the need for leave occurs unexpectedly, the employee shall give the City as much advanced notice as possible. Notice may also be made on the employee's behalf by a military office authorized to do so. A copy of the employee's military orders or other official military documentation, when available, are requested to be provided to the Human Resources Department.

IV. ADMINISTRATION OF MILITARY LEAVE

Employees on military leave are entitled a leave of absence from their respective duties without loss of seniority or accrued leave, nor shall they be subject to any other adverse

action for all days which they are engaged in military duty. Employees maintain their leave balances for use during military leave, if elected, or upon their return to City services.

a. Military Leave With Pay

Military leave is a paid benefit granted to eligible employees who are current or former members of the armed services of the organized reserve forces of any of the armed service of the United States, National Guard, or Naval Militia and take a leave of absence to engage in federally funded military duty, including training duty, or called forth by the Governor pursuant to Virginia law.

- i. Paid military leave shall not exceed 21 calendar days (168 work hours) for those in positions other than firefighter and 388 work hours for those in firefighter positions, based on the Federal fiscal year of October 1 through September 30. For purposes of this Memorandum, employees, other than those in a firefighter position, who do not normally work approximately equal workdays on five or more days of each calendar week, the term “workday” shall mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any holidays, annual leave, military leave, or other absences. Military leave with pay shall be calculated in accordance with federal regulations.
- ii. Employee shall be granted military leave with pay in accordance with the Code of Virginia §44-93.

b. Military Leave Without Pay

Employees who have exceeded the allowance of Paid Military Leave shall be granted leave without pay for duty indicated in their orders or other documentation.

- i. Paid leave (vacation and sick) shall not accrue during any unpaid absences, including Military Leave without pay, that last longer than the hours equivalent to one pay period in a calendar month.
- c. Department supervisors are to inform the Human Resources department immediately upon notice of an employee’s absence, or anticipated absence, for military leave. Each department shall be responsible for communicating by email to the Human Resources department the known details of the employee’s leave.
 - d. The Human Resources department will communicate with the employee, following notification from the department, regarding military leave, to include insurance coverage and other benefit implications, application of Military Leave pay, and if the employee elects utilization of paid leave during Military Leave.
 - e. City department payroll representative(s) will communicate with the Finance department regarding allocation of military leave pay.

- f. The supervisor of an employee on leave shall liaise with Human Resources to continue communication with the employee, when appropriate, regarding return-to-work status.
- g. Departments are responsible for maintaining attendance records.
- h. Employees on leave are required to continue to abide by City and departmental policies regarding work absence notifications (i.e. Call-Out) and return to work.
- i. Departments shall communicate with the Human Resources department regarding the administration of military leave and are to forward all leave related documentation from the employee to the Human Resources department.

V. REINSTATEMENT FROM MILITARY LEAVE

Employees shall be reinstated to their previous position or to a position comparable to their previous position in terms of pay and status if the following conditions are met:

- a. Release orders, such as a DD-214 form, or certificates to verify service and eligibility for reemployment, when applicable, are provided to Human Resources by the employee returning from military leave.
- b. Requests for reinstatement are made within the federal Veterans Reemployment Rights statute.
- c. Employees are qualified for pre-service positions. Should an employee become disabled during military service and can no longer perform the duties of their previous position, and reasonable accommodations are not possible without undue hardship to the City, efforts will be made to place the employee in the nearest comparable position for which they qualify.