County of Monterey
Board Policy Manual

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I. Purpose and Background

The County of Monterey has developed this Military Leave Policy to promote consistent treatment of all military reservists and National Guard members. This policy serves as a guide for County employees, as well as Human Resources Department and Auditor-Controller's Office staff, outlining the procedures and provisions related to military leave. It specifically addresses matters concerning pay and benefits during both active and inactive military service.

The County complies with the Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA) and applicable California Military and Veterans Code pertaining to military leave. As the laws change, or as interpretations of the laws change, military leave benefits for County employees may change accordingly. Nothing in this policy shall be construed as exhaustive of all potential situations, conditions, or circumstances that may occur in relation to an employee's call or order to active military service. Situations not expressly addressed herein shall be resolved in accordance with applicable law, regulation, and organizational practice.

Administration of the Military Leave Policy shall be in accordance with the Active Duty Military Leave Administrative Procedures established by the Military and Veterans Affairs Officer and/or Director of Human Resources.

II. Definitions

a) "Active Military Service" means full-time active duty within a branch of the United States Armed Forces (Army, Navy, Marine Corps, Air Force, Space Force, Coast Guard, or National Guard). Active duty shall include annual training of 2 weeks or more for reservists/National Guard members.

b) "Inactive Military Service" means weekend drills, Annual Muster Duty training, voluntary maintenance activities of the military unit, or other ordered inactive duty training.

c) “Calendar days” means that all days are calculated on the calendar, including weekends and holidays.

d) “County base pay” means the hourly rate of pay on the County’s published salary schedule at time of leave.

e) “Basic military pay” is the standard amount of compensation for service members based of each individual pay grade and time in service. This is compensation before additional allowances. The employee’s basic military pay will be confirmed or verified from the Defense Finance and Accounting Service (DFAS) website at http://www.dfas.mil/ by the County Military & Veterans Affairs Office (MVAO).

f) For purposes of this policy, “Employee Benefits” means medical, dental and vision insurance.

g) “Fiscal year” means the Monterey County fiscal year, which ends June 30th and begins July 1st.

III. Policy

Military Activation

Military service for reservists/National Guard members may be considered “inactive” or “active” service depending on the nature of the duty. Under federal and state law paid military leave is provided only for active military service. However, this policy permits paid military leave for inactive military service when authorized by both the Appointing Authority, as defined in the Personnel Policies and Practices Resolution, and the Military & Veterans Affairs Officer.

Any public employee who is ordered to active military service is entitled to receive his or her salary or compensation (base pay) as a public employee for the first 30 calendar days of any such absence (pursuant to section 395.01 of the Government Code).

Any public employee who is ordered to inactive military service is eligible to receive their salary or compensation (base pay) as a public employee subject to the approval of the Appointing Authority and Military and Veterans Affairs Officer. Pay for inactive military service shall not exceed 30 days in any one fiscal year. Travel time for Inactive Military Service is not authorized under this policy.

Active Military Leave Full Pay for up to the First 30 Calendar Days (per fiscal year)

Any employee who is on temporary leave of absence for military leave ordered for purposes of active military training, deployment, encampment, naval cruises, special exercises, or like activity, providing that the period of ordered duty does not exceed 180 calendar days, including travel time going to and returning from duty *and* who has a combined military and county employment of at least one year immediately prior to the day the military leave is to begin, is entitled to receive his or her County salary or compensation as a public employee for up to the first 30 calendar days in addition to any and all military pay received during any such absence.

Note: Full County pay for these purposes may not exceed 30 days in any one fiscal year.
Note: Employees with less than 12 months (1 year) combined military and county service are not eligible for the Full Pay for the first 30-day benefit.

All military service of the employee, in recognized military service (as defined in Section 18540.3 of the Government Code), shall be counted toward the one-year County service requirement.

Active Military Leave (Day 31 up to 12 months)

Salary Augmentation:

The salary augmentation for active military leave provides the difference between an employee's regular County Base Pay and their Basic Military Pay. In combination with their Basic Military Pay, an employee will be entitled to a County paid salary augmentation to equal their County Base Pay, for the duration of their Active Military Leave. For employees with 12 months or more combined military and county service this begins on the 31st day of Active Military Leave and 1st day of Active Military Leave for employees with less than 12 months combined military and county service. Salary Augmentation can range from 30 days up to 12 months per fiscal year. If the Basic Military Pay exceeds the County Base Pay at the onset of Active Military Leave, there is no salary augmentation.

Salary Augmentation with 1 year or more Combined Military and County Service:

Employee shall receive augmentation up to 12 months per fiscal year

Salary Augmentation with "Less than" 1 year Combined Military / County Service:

Salary Augmentation for employees with less than 1 year combined military / county service will be provided for active military leave (active duty orders) on a sliding scale based on combined military / county service. Augmentation will start on the first day of Active Military Leave.

- Combined service 9 months to less than 1 year; authorized 90 days of Salary Augmentation
- Combined service 6 months to less than 9 months; authorized 60 days of Salary Augmentation
- Combined service less than 6 months; authorized 30 days of Salary Augmentation

Accruals:

Employees will continue to accrue the following: Annual Leave, Vacation, Paid Time Off and Sick Leave, as applicable, as well as County days of service credit, for the duration of the military leave, as if they had not been on military leave. Accruals may be adjusted upon return to work, in accordance with other laws.

Benefits:

Health plan coverage for service members continues through the 31st day of Active Military Leave for up to 12 months.

Retirement:

Under Public Employees Retirement System (PERS) rules, salary augmentation paid while on Active Military Duty Leave is not considered reportable compensation. Therefore, contributions (employee and employer) to PERS will discontinue and PERS service credit will stop accruing for any employee while on salary augmentation. However, immediately upon return from leave, the employee may apply directly to PERS to have the service credit posted to their account.

Seniority:

The employee has the same rights to seniority and shall be restored to their former or equivalent position and status upon returning from active military leave, as if they had not been on leave. If the employee left on active military leave while on a probationary period, they will be required to complete the probationary period upon return to their employment.

Inactive Military Leave Pay

Any employee who is on temporary leave of absence for inactive military leave ordered for weekend drills, Annual Muster Duty training, voluntary maintenance activities of the military unit, or other ordered inactive duty training is eligible to receive their salary or compensation as a public employee, subject to the approval of the Appointing Authority and Military and Veterans Affairs Officer. Travel time for Inactive Military Service is not authorized under this policy. Pay for inactive military service shall not exceed 30 days in any one fiscal year.

IV. Procedure

The Human Resources Department, in collaboration with the Military and Veterans Affairs Office, shall develop administrative procedures to ensure consistent application of this policy.

V. Review Date

a. This policy will be reviewed for continuance by November 4, 2030.

VI. Board Action

a. Legistar File No. 25-793, November 4, 2025.