

RESOLUTION 2004-14

**A RESOLUTION AMENDING TOOELE COUNTY PERSONNEL POLICIES
AND PROCEDURES SECTION 15-G; MILITARY LEAVE**

WHEREAS, it is necessary to clarify personnel policies regarding military leave;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF TOOELE COUNTY THAT Section 15-G of the Tooele County

Personnel Policies and Procedures is hereby amended to read:

G. MILITARY LEAVE:

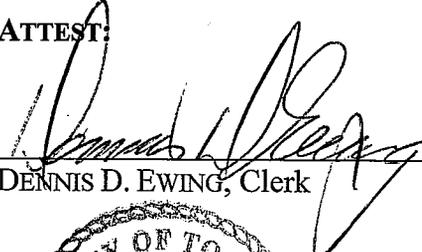
1. Leave may be granted for a period of active military service. Military leave of less than six months is known as short-term leave. Leave of six months or more is known as extended leave.
2. Short-term military leave is authorized for employees pursuant to the following:
 - a. Employees are entitled to eleven working days military leave per year without loss of compensation or other fringe benefits, subject to Subsection b. Any employee requesting military leave must provide their department head/elected official and office of personnel management with a copy of the military orders placing the employee on active duty status.
 - b. Employees who are members of reserve units of the military shall notify their immediate supervisor at least four weeks in advance unless prevented by military necessity and shall indicate in writing their intention and anticipation with regard to participating in periods of active duty. Such written notification shall be made a part of the employee's personnel file.
3. Extended military leave without pay may be granted to full-time or part-time employees who enlist, are drafted, or are called to active service in the armed forces of the United States in accordance with the Universal Military Training and Service Act.
4. Former employees shall be permitted to return to county employment pursuant to the following conditions:
 - a. The leave of absence may not exceed five years from the date of entry into the military service, unless the employee is involuntarily retained longer.
 - b. The employee must have satisfactorily completed the period of active duty and furnish a certificate to that effect.

- c. Any employee leaving active military duty is authorized days from the active duty release date in which to request reinstatement to a position of comparable status and compensation. If gone 30 days or less, the employee must request reinstatement the next business day. If gone 31 to 180 days, the employee must request reinstatement within 14 days after military release. If gone 181 or more days, the employee must request reinstatement within 90 days after military release.
- d. If the employee declines two consecutive offers for position vacancies, reinstatement rights may be canceled.
- e. If, due to a disability incurred or aggravated while in military service an employee is not qualified to perform all the duties of the employee's former position, reasonable efforts will be made to accommodate the disability so the employee can perform the position that employee would have held if the employee had remained continuously employed. If despite reasonable accommodation efforts, the person is not qualified for the position due to the disability, the employee will be employed in a position of equivalent seniority, status, and pay, so long as the employee is qualified to perform the duties of the position or could be qualified to perform them with reasonable efforts by the county. If the employee does not become qualified for this second position, the employee will be employed in a position that, consistent with the circumstances of that person's case, most nearly approximates the second position in terms of seniority, status, and pay.

EFFECTIVE DATE: This resolution shall take effect immediately upon passage.

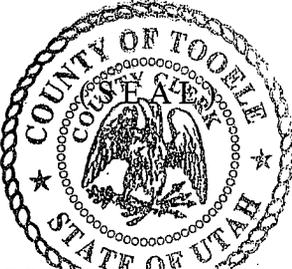
DATED this 24th day of August 2004.

ATTEST:

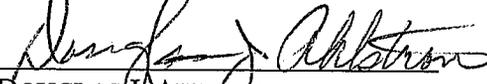

DENNIS D. EWING, Clerk

TOOELE COUNTY LEGISLATIVE BODY


DENNIS ROCKWELL, Chairman



APPROVED AS TO FORM:


DOUGLAS U. AHLSTROM
Tooele County Attorney

Commissioner Rockwell voted *aye*
Commissioner White voted *absent*
Commissioner Lawrence voted *aye*