4.3 Military Leave

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POLICY
It is the policy of Lake County to comply with all applicable Federal and State laws in granting Military Leave to employees who voluntarily or involuntarily serve in the Armed Services of the United States or State of Illinois in either an active or reserve capacity. When such service occurs, Lake County will comply with applicable law and the conditions of the federal (38 U.S.C. 4301), "United States Employment and Reemployment Rights Act" (USERRA) and the State of Illinois (330 ILCS 61), "Service Member Employment and Reemployment Rights Act" (ISERRA).

Leave of Absence
To the extent authorized by law, and provided an employee provides notice to Lake County, an employee who serves in the United States Armed Services, including the Illinois National Guard will be granted a leave of absence for any period actively spent in military service.

Employee Notice
The employee must immediately notify his or her Department Director in writing of any upcoming military duty and provide Human Resources with a copy of the orders and any other documentation requested in order to facilitate the administration of benefits and compensation. After appropriate documents are received, a representative from Human Resources will schedule a meeting with the employee to discuss entitlements and leave of absence.

Compensation
An employee on military leave will be eligible for continuing base or differential pay as authorized by law:

- Employees who are members of a reserve component shall continue to receive full Lake County compensation for their annual training commitment for up to 30 days per calendar year. Employees who exhaust their compensation for annual training may be eligible for differential compensation.
- An employee who is a member of a reserve component and performs qualifying voluntary active service is eligible for up to 60 work days of differential compensation in a calendar year.
- An employee who is a member of a reserve component and is ordered to perform involuntary active service is eligible to receive additional differential compensation.

- Differential compensation is only paid for those work days where the employee would otherwise have been scheduled to work as a Lake County employee. Work hours extending over two calendar days counts as two work days when calculating differential compensation.

An employee may elect the use of accrued vacation or similar leave with pay in lieu of differential compensation during any period of military leave or during any period of paid or unpaid military leave. Vacation leave and sick leave, however, will not be accrued during a military leave of absence.

Reinstatement

Employees who have been on military leave for up to 5 years are eligible for reinstatement if the employee was not separated from uniformed service with a disqualifying discharge and is able to still perform the essential job functions of the former position. Barring changed circumstances, employees will be reinstated to the same or similar position without loss of seniority, benefits, or the rate of pay in effect prior to induction. During a military leave of absence, an employee will receive a performance evaluation in the manner provided by law.

Length of Service	Deadline for Applying for Re-Employment
Less than 31 days or to take an exam to determine fitness for military service	Upon returning from military service, employees must return to work on the next regularly scheduled work period.
Between 31 and 180 days	Employees will have **14 days** following their return from service to apply for reemployment
More than 181 days (up to 5 years)	Employees have **90 days** following their return from service to apply for reemployment

Health Insurance

Lake County provided health insurance plan benefits will be provided for members of a reserve component during leave in accordance with federal and state law, except that Lake County will continue to pay its share of the insurance premium and administrative costs during the employee's "active duty" (as defined by Illinois law).

Illinois Municipal Retirement Fund

Employees can earn IMRF service credit for the months of the leave period if they pay their member contributions after returning from the leave. An employee's specific circumstances while on active duty will determine their rights to IMRF service credit. However, the eligibility for IMRF service credit is determined by IMRF and not the County and is subject to such requirements as IMRF may determine.