



Agency Guidance Regarding State Employees Called to Active Military Duty for Mobilization

[This guidance is relevant for classified and unclassified employees.]

Upon notification from an employee whose absence from their state job is required to fulfill active military duty orders (mobilization), information regarding state employment rights should be provided to that employee through the Active Duty/Mobilization Packet made available by the Personnel Cabinet. This packet includes a cover letter signed by the Secretary of the Personnel Cabinet as well as a summary of employment rights, a Military Leave - Designation Form, KAR and KRS military excerpts (as they apply to classified and unclassified employees), a USERRA poster and an FAQ regarding the Military Provisions of the FMLA.

To begin, the employee should provide the Appointing Authority (through the HR Administrator is acceptable) a copy of their official orders. In addition, the Military Leave - Designation Form should be completed and turned in to serve as an official request for military leave from their state job. Designations provided on this form will direct you how to code the employee's leave in KHRIS once separated from his or her state job as well as indicate how additional military leave (if mobilization carries into the next federal fiscal year) should be applied. Instruction on how to process additional military leave, while the employee is on inactive status, is provided below. However, if you have questions regarding this process, please contact your agency's Personnel Cabinet Payroll Consultant.

NOTE: The employee must have Direct Deposit in order for the designated leave (if any) to be paid.

HOW TO PAY MILITARY LEAVE ON AN INACTIVE EMPLOYEE:

Beginning October 1, 2011, employees on military leave by Personnel Action may elect to be paid their military leave hours received on October 1 while they are mobilized. The employees will not be brought back from leave, and no timesheet will be completed. As the employee will be in an inactive status, no hours will be added to the military leave quota in KHRIS. To pay out their accrued military leave hours, the HRA will take the following steps:

According to the work days in the payperiod (starting October 1), calculate the value of the payperiod for the employee. Apply the available military leave hours to the payperiod. This is done only to apply the hours as they would be used if a timesheet were completed. However, no timesheet should be done, as the employee is on inactive status while on military leave. The HRA should manually track and reduce the available military leave hours by the number of hours in the payperiod.

The HRA will create an IT0015, using WT2024, for the value of the payperiod. Remarks should be added to the IT0015 indicating that it is to pay accrued military leave and how many days it represents (from top menu, choose Edit, Maintain Text after completing the IT0015 fields). This will pay the employee the value of the military leave for the period.

These steps are repeated on subsequent payperiods until all accrued leave is consecutively applied and paid, unless the employee is returned from mobilization or separated from state service before the leave is applied and paid.

Example: John Smith has been on military leave since July 2011. On October 1, 2011, he receives 21 days of military leave. The first payperiod in October has 10 working days, which will reduce his allotment by 10 days, leaving 11 days. His HRA would create an IT0015 for WT2024 for the value of his leave. If he is salaried, it would be the semimonthly salary amount. If he is hourly, it will be the hourly rate multiplied by 75 or 80 (depending upon if he is a 37.5 or 40 hr/wk

employee). For October 16-31, there are 11 work days. The remaining 11 days of military leave would be applied to this payperiod and paid to John in the same manner. If John should return from mobilization or separate from employment before all military leave hours have been applied, then only the days on which he was still employed and mobilized would be paid on the IT0015.

The maximum number of days for which a mobilized employee may be paid on October 1, 2011 would be 42, for an employee who has been mobilized since prior to October 1, 2010 and remains mobilized. If an employee matching this example remained mobilized as of October 1, 2012, he would accrue another 21 days and be eligible for payment of those 21 days on the following payperiods.

HOW TO PAY MILITARY LEAVE ON AN ACTIVE EMPLOYEE, RETURNED FROM MOBILIZATION:

If the employee was mobilized at the time of this policy change (10/01/11) and contact could not be made to have the Military Leave – Designation Form completed (in order to receive pay for their military during their deployment), agencies should be prepared to meet with the employee immediately upon their return to work to have the form completed and then apply the leave accordingly.

If the employee chooses to have their accrued military leave hours paid out, as opposed to saving them, the HRA will take the following steps:

The HRA will create an IT0015, using WT2024, for the value of the entire number of accrued military leave hours to be paid out. Remarks should be added to the IT0015 indicating that it is to pay accrued military leave and how many days it represents (from top menu, choose Edit, Maintain Text after completing the IT0015 fields). This will pay the employee the value of the military leave.