

BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF MADERA
STATE OF CALIFORNIA

In the Matter of)	Resolution No.: <u>2020 - 021</u>
)	
EMPLOYEES ON TEMPORARY)	A RESOLUTION SETTING MAXIMUM
LEAVE OF MILITARY DUTY)	PAY ALLOWANCE FOR COUNTY
)	EMPLOYEES ON TEMPORARY
)	MILITARY LEAVE OF ABSENCE
)	(MILITARY AND VETERANS CODE
_____)	§395.03)

WHEREAS, California Military and Veterans Code section 395.03 provides that the Board of Supervisors, by resolution, may extend additional military leave to eligible employees; and

WHEREAS, the Board of Supervisors supports any employee who has been in the service of Madera County for not less than one (1) year immediately prior to the day on which the absence begins, who as a member of the California National Guard or a United States Military Reserve unit is involuntarily called into active duty as a result of military and related operations; and

WHEREAS, an employee, who meets the requirements of Military and Veterans Code sections 395.01 and 395.02 entitling him/her to receive full regular County pay for the initial thirty (30) calendar days of active duty, who is involuntarily called into active duty, shall be eligible for supplemental salary continuance for a period of up to one hundred eighty (180) days, entitling him/her to receive his/her regular County base salary offset by all military pay received for such active duty starting on the thirty-first (31st) calendar day of active duty; and

WHEREAS, this resolution shall not apply to any active duty served voluntarily;

and

WHEREAS, Resolution No. 2001-288 expired on May 20, 2002; Resolution No. 2002-122 expired on November 18, 2002; Resolution No. 2002-253 expired on May 12, 2003; Resolution No. 2003-123 expired on November 22, 2003; Resolution No. 2003-316 expired on May 24, 2004; Resolution No. 2004-135 expired on November 11, 2004; Resolution No. 2004-296 expired on May 10, 2005; Resolution No. 2005-075 expired on November 5, 2005; Resolution No. 2005-209 expired on May 4, 2006; Resolution No. 2006-079 expired on October 31, 2006; Resolution No. 2006-207 expired on April 29, 2007; Resolution No. 2007-081 expired on October 26, 2007; Resolution No. 2007-215 expired on April 23, 2008; Resolution No. 2008-073 expired on October 20, 2008; Resolution No. 2008-223 expired on April 18, 2009; Resolution No. 2009-067 expired on October 15, 2009; Resolution No. 2009-257 expired on April 13, 2010; Resolution No. 2010-071 expired on October 10, 2010; Resolution No. 2010-231 expired on April 8, 2011; Resolution No. 2011-062 expired on October 5, 2011; Resolution No. 2011-202 expired on April 2, 2012; Resolution No. 2012-061 expired on September 28, 2012; Resolution No. 2013-173 expired on March 27, 2013; Resolution No. 2013-054 expired on September 23, 2013; Resolution No. 2013-149 expired on March 22, 2014; Resolution No. 2014-027 expired on September 18, 2014; Resolution No. 2014-156 expired on March 17, 2015; Resolution No. 2015-040 expired on September 13, 2015; and Resolution No. 2015-113 expired on March 11, 2016; and Resolution No. 2016-035 expired on September 7, 2016; and Resolution 2016-259 expired on March 6, 2017; and Resolution 2017-030 expired on September 2, 2017; and Resolution 2017-105 expired on March 1, 2018; and Resolution 2018-021 expired on August 27, 2018; and Resolution

2018-112 expired on February 22, 2019; and Resolution 2019-020 expired on August 21, 2019; and Resolution 2019-127 expired on February 17, 2020; and

WHEREAS, the Board desires to continue regular pay for County employees involuntarily called to active military duty; and

WHEREAS, following the expiration of one hundred eighty (180) days from the date of the adoption of this Resolution, the County agrees to revisit this issue to determine the appropriateness of continuing the salary and benefits provided herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, a political subdivision of the State of California, that:

- 1. The Board of Supervisors hereby extends the effective date of Resolution No. 2019-127, including Exhibit "A" as amended, another one hundred eighty (180) days.
- 3. This Resolution shall become effective immediately.

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The foregoing Resolution was adopted this 10th day of February, 2020, by the following vote:

Supervisor Frazier voted: YES

Supervisor Rogers voted: YES

Supervisor Poythress voted: YES

Supervisor Rodriguez voted: YES

Supervisor Wheeler voted: YES



David B. Rogers
Chairman, Board of Supervisors

ATTEST:

Shonda M. Largent
Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

By MEERA H. BHATT
Deputy County Counsel

Exhibit "A"

1. After the initial thirty (30) days of military leave, an eligible employee may choose to:
 - (a) request an unpaid military leave of absence;
 - (b) request paid leave using appropriate accrued leave balances; or
 - (c) request that his/her regular County base salary be offset by all military pay received for such duty, for a period not to exceed one hundred eighty (180) days. "County base salary" is defined as the compensation provided by Salary Resolution for each specific class and shall not include other pay allowances.
2. Eligible employees authorized to be compensated pursuant to item (c) above shall be responsible for timely submission of documents certifying their rate of military pay for each County pay period.
3. In circumstances where the employee's military pay exceeds the regular County base salary, the employee will receive no additional pay allowances.
4. During the period of active military duty, eligible employees shall continue to receive health contributions customarily paid on their behalf and the employee shall continue to be responsible for employee-paid portions of health benefits.
5. During the initial thirty (30) calendar days of active military duty, eligible employees shall continue to receive retirement contributions customarily paid on their behalf and the employee shall continue to be responsible for employee-paid portions of retirement benefits.
6. After the initial thirty (30) calendar days of active military duty, eligible employees who choose to continue their military leave pursuant to item (b) above shall continue to receive retirement contributions customarily paid on their behalf and the employee shall continue to be responsible for employee-paid portions of retirement benefits for the period in which the employee uses his/her own appropriate accrued leave balances.
7. After the initial thirty (30) calendar days of active military duty, eligible employees who choose to continue their military leave pursuant to either item (a) or item (c) above shall be eligible to receive retirement contributions. Pursuant to CalPERS law the employee shall receive service credit for time spent on active military duty upon his/her return to County employment and upon completing and submitting the required documentation to CalPERS. CalPERS shall then determine the appropriate dollar amount for the County's and/or the employee's retirement contribution.

8. Any contributions customarily made by the employee to voluntary benefit programs will continue to be the responsibility of the employee.

9. Eligible employees shall continue to accrue leave benefits as provided by Memoranda of Understanding and pursuant to Madera County Code.

10. The employee shall continue to receive service credit (seniority) for layoff purposes during the period of military leave.

11. Salary and benefits provided herein shall cease on the date the employee is officially released from active military duty or after one hundred eighty (180) days, whichever comes first.



Request for Service Credit Cost Information— Military Service

888 CalPERS (or 888-225-7377) • TTY: (877) 249-7442

Name of Member (Last Name, First Name, Middle Initial) Social Security Number or CalPERS ID

Section 1

About You

The earlier in your career you purchase service credit, the lower your cost will be.

Member Mailing Address

City State ZIP Code

Any balance resulting from an election must be paid in full by your retirement date.

() _____
Daytime Phone Email Address

Have you submitted a retirement application? No Yes _____
Retirement Date (mm/dd/yyyy)

Purchase early so you have enough time to pay the balance in full by your retirement date, or your retirement benefit will be reduced by the actuarial equivalent of your remaining balance.

Were you employed by a CalPERS-covered employer and granted a leave of absence to enter the military?
 No Yes

If yes, please complete and submit the applicable form, *Request for Service Credit Information—Military Leave of Absence*.

Have you ever been a member of a public retirement system in California other than CalPERS?

No Yes _____
Name of System(s)

If yes, have you purchased the service being requested in that retirement system? No Yes

Are you currently receiving military retirement pay based on 20 or more years of active duty service?

No Yes

Section 2

Military Active Duty Service Dates (attach certification)

You must attach a copy of your military documents (i.e., DD-214). Point summary documents are not accepted.

Provide the number of years to purchase or check the box to receive the maximum allowable. Otherwise, your DD-214 will be used to determine your eligible service, up to the maximum allowable.

Requested number of years to purchase: _____ or Maximum years allowable

Section 3

Member Certification

Sign and date the request form. Make a copy for your records.

I hereby certify under penalty of perjury the above information is true and correct to the best of my knowledge. I understand I must meet the requirements under California law. I have reviewed the publication *A Guide to Your CalPERS Military Service Credit Options* (PUB 15) and I meet all the requirements outlined in the publication. I understand it is my responsibility to ensure this form is received by CalPERS. I further understand any balance resulting from an election must be paid in full by my retirement date, or my retirement benefit will be reduced by the actuarial equivalent of the remaining balance.

Member Signature Date (mm/dd/yyyy)

If you have established reciprocity or have an approved final compensation exchange, we will contact the retirement system to determine your highest pay rate, which can be used in the calculation of your Military service credit.

Mail to:

CalPERS Member Account Management Division • P.O. Box 4000, Sacramento, California 95812-4000