



THE CITY OF MIDDLETOWN'S FIRST AMENDED MILITARY LEAVE POLICY

Purpose

This policy outlines the rights and responsibilities of employees who are called to military service and ensures compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Scope

This policy applies to all employees of the City of Middletown ("Middletown").

Policy Statement

Middletown is committed to supporting employees who serve in the military. We comply with USERRA and Connecticut state law, which provides certain rights and protections to employees who are called to active duty or training in the military.

Eligibility

All employees who are members of the Uniformed Services, including reserves and National Guard, are eligible for military leave.

Notice Requirements

- Employees must provide advance notice of their military service obligations to their immediate supervisor or HR, unless precluded by military necessity or it is otherwise impossible or unreasonable, considering all relevant circumstances.
- The employee must submit a copy of their military orders to their direct supervisor and the Human Resources Division as soon as possible along with written notification including the following information:
 - Anticipated date(s) of mobilization;
 - Unit name and identification;
 - Commanding Officer's name, telephone number, and email address;
 - Immediate military supervisor's name, telephone number, and email address.

Pre-Deployment

The City's Human Resources Director or designee together with the employee's supervisor will meet with the employee prior to deployment to ascertain information regarding:

- Salary and benefit continuation and the details regarding same;
- Updated contact information for family or next of kin; and
- Any other relevant information that may aid in later reintegration.

The employee's supervisor shall act as the primary point of contact regarding matters related to the employee's deployment and, together with the Department Head, if different than the employee's supervisor, shall discuss with the employee, prior to their departure the reintegration process they can expect upon return.

The Human Resources Director or his/her designee shall act as the primary point of contact for the employee regarding any HR matters.

As part of the departure process, the employee's supervisor will approve arrangements for the safe storage of any of the employee's city issued property or equipment.

Deployment

During the deployed employee's absence, the City shall provide support to the employee and their family through the employee's supervisor and the City's HR Division. It is important that the employee provide any change of contact information for themselves or their family to the HR Division.

Leave Duration

- Employees are entitled to military leave for up to five years for cumulative periods of service in accordance with USERRA.
- Employees may take leave for active duty, inactive duty training, or examinations to determine fitness for duty.

Benefits During Deployment

- While deployed, the City shall pay the employee the difference between the employee's normal rate of pay from the City and any pay received from the government ("differential") minus any applicable deductions. If the differential is not enough to cover the deductions, the employee must pay the City back the missed deductions upon return to work within the timeframe set within this paragraph. If the employee's military pay from the government exceeds their pay from the City, the City will not issue any pay to the employee, but the employee will be responsible for reimbursing the City for any deductions that would have accrued during the military leave. The employee shall pay any such reimbursement within thirty (30) days of their return from deployment. In a situation where the deductions do not cover court ordered garnishments, the City is not responsible for any shortfalls and it is incumbent on the employee to deal with that issue directly with the Court.
- In addition, and to confirm the correct offset amount, the employee must provide a copy of their military orders, paystubs, their military rating, and/or their leave/earnings statement from the government to the HR Office and any other documentation that the

City may require to confirm the employee's military pay status and amount. The employee must update these forms any time their military pay changes. If an employee does not provide the City enough notice to offset a paycheck in the week the deployment occurs or if the offset is not accurate due to missing paperwork or a change in military pay, the City reserves the right to adjust future wages to ensure the correct offset has been paid.

- The employee has the sole responsibility for determining the tax implications of any money they receive from the government for military leave.
- Employees may choose to continue health insurance coverage during their military leave under the same conditions as if they were actively employed. Employees must notify HR and the Risk Office of their choice to continue health care coverage within 30 days of leaving for military service.
- During deployment, employees will continue to contribute to the pension plan and remain active in said plan in accordance with USERRA and the City's Pension Plan.

Reemployment Rights After Deployment

Upon return from military service, employees are entitled to be reinstated to their former position or a position of similar status and pay, provided they meet the following conditions:

- They have given timely notice of their military service and return to work within the timelines based on length of military services set forth under USERRA.
- They have not exceeded the five-year limit on cumulative military leave.
- They are discharged under honorable conditions.

Reintegration After Deployment

Prior to returning to full duty, the returning employee will enter into a re-acclimation process in which the employee will meet with their supervisor and the HR Director for a reintegration interview. Under certain circumstances, the City may require the employee to provide documentation demonstrating their ability to return to work and fitness for duty. The employee must also provide appropriate documentation regarding the amount of military pay received during the leave and the amount of time served. All required reimbursements under this policy must be made to the City before the employee can be re-employed. The City shall ensure that the employee has appropriate training as they reintegrate back to their position. If military deployment interrupted the employee's probationary status, the probation will be extended as needed to complete the original probation.

Job Protection

Employees will not face discrimination or retaliation for taking military leave or for exercising their rights under USERRA.

Leave of Absence for Reserve and National Guard Training and Assignments

The City shall comply with the requirements set forth under C.G.S. § 7-461 for day and weekend leaves of absences to cover Reserve and National Guard training and assignments.

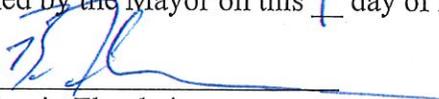
Compliance

Failure of an employee to comply with this policy may result in discipline, up to and including termination, and could result in garnishment of wages under Connecticut law.

Additional Provisions

- This policy may be subject to updates in accordance with changes to federal or state laws.
- Employees should contact HR for further clarification on their rights and responsibilities under this policy.

Signed by the Mayor on this 4th day of April 2025.



Benjamin Florsheim