

(R-91-1275 REV.)

RESOLUTION NUMBER R-277351

ADOPTED ON FEBRUARY 11, 1991

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO PROVIDING FOR ADDITIONAL TEMPORARY PARTIALLY PAID MILITARY LEAVE OF ABSENCE AND CONTINUED BENEFITS FOR CITY EMPLOYEES CALLED TO ACTIVE DUTY WITH THE ARMED FORCES IN CONNECTION WITH THE MIDDLE EAST CRISIS.

WHEREAS, the Council of The City of San Diego recognizes that because of the recent Middle East crisis, certain City employees who are members of the military reserves or national guard have been called to active military duty with the possibility that additional City employees will also be called to such duty; and

WHEREAS, City employees who serve on active military duty are paid their full City salary and benefits for the first thirty (30) days of such service and thereafter such salary and most City benefits are not provided while on active military service; and

WHEREAS, the City Council now desires to provide such employees supplemental salary and benefits for a maximum of an additional one hundred fifty (150) calendar days which would provide for the differential between City compensation and active military service compensation in consideration for and to encourage that such employees return to City service after release from such military service during the crisis; and

WHEREAS, Council is further concerned about the financial plight of personnel who do not work for a governmental agency and

are called to military duty as a result of the Middle East situation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That officers and employees of the City who meet the eligibility criteria for paid military leave contained in Personnel Manual Index Code I-10, Military Leave, and who, as members of the national guard or military reserve, have been or will be called to active military service with the armed forces of the United States during the period between August 2, 1990 and June 30, 1991 in connection with the current Middle East crisis (Operations Desert Shield and Desert Storm) shall be entitled to temporary partially paid military leave, which leave shall not exceed one hundred fifty (150) days, separate from and in addition to the regular paid military leave benefit.

2. That the amount of pay each such employee shall be entitled to receive for said additional paid military leave shall be the difference between the gross pay and allowances actually received by the officer or employee from the United States for such military service and the gross wages and allowances that said employee would have received from The City of San Diego if the officer or employee had not been called to active military duty, said difference to be subject to all necessary and appropriate deductions and withholdings.

3. That the City shall also continue to pay all benefits to which the employee would have otherwise been

entitled (through the Flexible Benefits and Management Benefits Plans) for a period not to exceed six calendar months, with SPSP contributions to be calculated based on the amount of gross differential pay authorized in section 2 above.

4. That no payment of any wage, benefit or insurance premium provided for in this resolution shall be made by the City unless and until an officer or employee requesting such payment provides documentation of amount of pay and proof of military service which is sufficient and satisfactory to the Personnel Director and City Auditor and Comptroller.

5. That creation of this program represents an action by The City of San Diego in an effort to reduce the financial impact on its employees due to military service arising out of the current Middle East crisis and does not create a precedent or represent a continuing benefit.

6. That the City Manager, Personnel Director and Auditor and Comptroller be and they are hereby directed to amend or cause to be amended, as may be necessary, all rules and regulations to effectuate this supplemental military leave program and are further directed to promulgate procedures for the operation of the program.

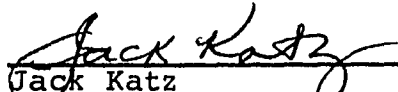
7. That the provisions of this resolution shall be retroactive to August 2, 1990 for purpose of program eligibility.

BE IT FURTHER RESOLVED, that the City Manager and the Department of Legislative Services be directed to refer to the

federal government, the United States Conference of Mayors, and the National League of Cities for consideration the matter of reimbursement for military service personnel who do not work for a governmental agency and who are on military leave in the Persian Gulf.

APPROVED: JOHN W. WITT, City Attorney

By



Jack Katz
Senior Chief Deputy

JK:smm
02/06/91
02/14/91 REV.
Or.Dept:Mayor/Clerk
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Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Abbe Wolfsheimer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| John Hartley | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Wes Pratt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Linda Bernhardt | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| J. Bruce Henderson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Judy McCarty | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Bob Filner | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Maureen O'Connor | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

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Adopted