

RESOLUTION NUMBER R- 286954

ADOPTED ON FEB 20 1996

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 BY THE PRESIDENT FROM DECEMBER 5, 1995, TO JUNE 30, 1997.

WHEREAS, the Council of The City of San Diego recognizes that because of the recent Bosnia peacekeeping mission, and other Presidential Call-ups of Reserves for active duty, 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 each fiscal year 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 mission; 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 a Presidential Call-up of Reserves for active duty; 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 December 4, 1995 and June 30, 1997, in connection with the current Bosnia peacekeeping mission, and other Presidential Call-ups of Reserves for active duty, 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 a Presidential Call-up 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 the resolution shall be retroactive to December 4, 1995 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 of the matter of reimbursement for military reserve personnel who do not work for a governmental agency and who are called to active duty by the President of the United States.

BE IT FURTHER RESOLVED, that the City Manager is hereby directed to add this issue to the next meet and confer process with the recognized employee organizations to study and discuss the potential impacts, benefits and costs of implementing an expanded policy after July 1, 1997.

APPROVED: JOHN W. WITT, City Attorney

By 
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Assistant City Attorney

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