

## **IX. MILITARY RULES AND REGULATIONS**

### **A. AUTHORITY**

These rules and regulations are promulgated pursuant to M.G.L. c.33 § 59.

### **B. SCOPE**

These rules and regulations shall apply to all employees in all City departments, except School Department employees.

### **C. RULE**

A department head shall grant to any employee in the service of the armed forces of the Commonwealth or a reserve component of the armed forces of the United States, a leave of absence of up to forty (40) days in any federal fiscal year for service in the uniformed services, annual training, and drills and parades.<sup>1</sup> An employee on such a leave of absence shall be paid his/her regular base salary without reduction in vacation leave credit, sick leave credit, or personal leave credit.

In certain emergency situations, an employee in a reserve component of the armed forces of the United States who is ordered to service for more than thirty (30) consecutive days shall be paid his/her regular base salary, reduced by any amount received from the United States or the Commonwealth as base pay for military service.<sup>2</sup> Such leave shall be without reduction in vacation leave credit, sick leave credit or personal leave credit.

### **D. PROCEDURES**

The employee will furnish to department head an authenticated copy of the orders issued to him/her, and shall furnish an authenticated certificate showing the date or dates on which such duty was performed.

---

<sup>1</sup> For purposes of this paragraph, the word "day" shall mean any 24-hour period regardless of calendar day.

<sup>2</sup> For purposes of this paragraph, "base pay for military service" shall not include any housing, incentive, bonus, skills pay, allowance or other stipend or benefit paid for military service."

**E.     EXTENDED MILITARY LEAVE**

For reinstatement after extended military leave:

1. Request for reemployment must be made to the Human Resources Department in accordance with the timelines set forth in the Uniformed Services Employment and Reemployment Rights Act (USERRA) after the conclusion of military service.
2. The employee must provide to the Human Resources Department documentation establishing that his/her separation or dismissal from service was not disqualifying for reemployment.

The above requirements must be met or the employee's reinstatement will not become effective.

**F.     EFFECTIVE DATE**

These rules and regulations shall become effective November 1, 2018.

**G.     INTERPRETATION**

Questions on interpretation of these rules shall be directed to the Director of Human Resources.

**H.     MODIFICATION**

The City Manager reserves the right to make such modifications and amendments to these regulations as, in his opinion, are deemed necessary and proper.

Added 4/7/95  
Revised 11/30/00  
Revised 11/1/2018

