

# MOHAVE COUNTY SUPERIOR COURT POLICY AND PROCEDURE

TITLE: 8.4 MILITARY LEAVE

EFFECTIVE DATE: 02/09/2017  
REVISED DATE:

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Military leave shall be granted in accordance with the provisions of current State and USERRA laws.

## **8.41 Military Leave Requests**

In accordance with ARS § 38-610, and § 26-168, employees shall be granted leaves of absence from their duties without loss of time, pay or performance evaluation on all days during which they are employed on training duty or required to attend camps, maneuvers, formations or drills under documented orders or drill schedules with any branch, reserve or auxiliary of the armed forces of the United States for a period not to exceed thirty (30) days in any two (2) consecutive years.

- A. For purposes of this section, an officer or employee shall not be charged military leave for days on which the individual was not otherwise scheduled for work.
- B. The period of time spent in training under orders shall not be deducted from the accrued PTO to which any officer or employee is otherwise entitled.
- C. Employees taking military leave shall provide a copy of their military orders to their Department Head.

## **8.42 Restoration To Position Following Military Service**

A Superior Court employee who has been inducted or ordered into active service in the armed forces of the United States shall, upon completion of their service, be restored to the position held by them at the time of induction or of reporting for service, or to a position having similar or other duties which they are qualified to perform, if such officer or employee:

- A. Possesses a certificate of satisfactory training and service or honorable discharge issued by the proper military or naval authority.
- B. Is still qualified to perform the duties of the position.
- C. Applies for restoration after separation from the armed forces.
  - 1. Less than 31 days – Must return at the beginning of the next regularly scheduled work period on the first full day after release from service, taking into account safe travel home plus an eight (8) hour rest period.
  - 2. More than 30 days but less than 181 days – Must request re-employment within 14 days of release from service.

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3. More than 180 days – Must request re-employment within 90 days of release from service.
- D. Accumulated length of time absent for military duty and retain re-employment rights is five (5) years, unless initial enlistment lasts more than five (5) years, periodic national guard and reserve training duty, and involuntary active duty extensions and recalls.