

RESOLUTION NO. 7697

A RESOLUTION introduced by Councilmember Brett Blackburn amending the provisions of the Personnel Rules and Regulations relating to the benefits provided to employees on military leave.

WHEREAS, THE COUNCIL OF THE CITY OF TOPEKA by Ordinance 16404 effective January 6, 1992, adopted the Personnel Rules and Regulations (Personnel Rules) of the City of Topeka, Kansas; and

WHEREAS, the Council of the City of Topeka (Council) wishes to amend the provisions of the Personnel Rules relating to the benefits provided to employees on military leave; and

WHEREAS, Topeka City Code § 106-2 specifically provides that the Council may amend the Personnel Rules in whole or in part by Resolution approved by the Council.

NOW THEREFORE, BE IT FURTHER RESOLVED, Personnel Rules and Regulations, Article VII Benefits, Section 4, Leaves Of Absence, subsection C. Military Leaves is hereby amended to read as follows:

C. Military Leaves.

1. Temporary Training Period.

a. General. Temporary training periods: An employee who is a member of a military reserve organization or national guard unit shall be entitled to a paid leave as hereinafter provided. If such assignment would substantially interfere with execution of duties in the public interest, the employee may be encouraged to request a rescheduling of any such training/assignment. The employee shall provide appropriate documentation

of orders to attend any training, citation of the training and any related information as may be required to fully clarify the absence.

b. Reimbursements. The maximum reimbursement for any military leave shall be the difference between the base pay less special allowances which an employee would normally receive in one pay period and the amount received from the military. There shall be no City reimbursement if the military pay is equal to or greater than City pay. For a typical forty-hour employee, for the purpose of calculating the maximum allocation, the pay period would be a maximum of ~~ten (40)~~ fifteen (15) working days of either eight (8) hours per day excluding any overtime consideration; and for twenty-four hour employees, a maximum of ~~six (6)~~ nine (9) shifts of base pay, less the military pay; provided, however, these maximum amounts shall be less than the full possible allocation in the event the individual is assigned to less training proportionately. Employees shall be reimbursed only for those days they would normally have been assigned to work during the time of the military assignment.

## 2. Active or Extended Involuntary Military Assignment.

a. Reimbursements. The maximum reimbursement allowed for any person involuntarily ordered or called to active military service shall be the difference between the base pay less special allowances which an employee would normally receive in one pay period and the amount received from the military. There shall be no City reimbursement if the military pay is equal to or greater than City pay. Computation of the pay differential shall be

48 in accordance with the provisions for temporary training periods in subsection  
49 C.1.b. above.

50 23. Active or Extended Voluntary Military Assignment.

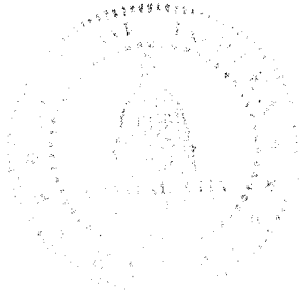
51 a. Reimbursement. No City compensation shall be allowed or any  
52 persons ~~called to~~ voluntarily entering active or extended military service,  
53 ~~provided that in the event of a natural disaster or civil disorder within the City~~  
54 ~~limits of Topeka, the Governing Body may authorize City reimbursement for~~  
55 ~~the duration of such active service not to exceed the difference between City~~  
56 ~~and military pay.~~

57 b. Military Leave as Leave of Absence without Pay. Employees  
58 may have entitlement to a position with the City following completion of an  
59 active or extended military voluntary assignment, pursuant to applicable state  
60 and/or federal laws governing such leave. The absence is considered a leave  
61 of absence without pay, ~~and employees will be allowed to continue in~~  
62 ~~employment following completion of such service unless, within thirty (30)~~  
63 ~~days of completion, they opt to resign formally from a position or fail to notify~~  
64 ~~the City of their intention to continue in employment, at which point all~~  
65 ~~obligations with the City would cease.~~ Benefits do not accrue during this  
66 leave of absence without pay. It should be noted that the intent of this  
67 provision, unless superseded by state or federal law, is not to encourage a  
68 different career opportunity. Employees shall provide appropriate  
69 documentation of orders and complete a leave agreement prior to  
70 commencement of the leave.

71 BE IT FURTHER RESOLVED that: said original subsection C Military Leaves is  
72 hereby rescinded.

73 ADOPTED and APPROVED by the City Council October 11, 2005.

74 CITY OF TOPEKA, KANSAS



William W. Buntin  
William W. Buntin, Mayor

81 ATTEST:

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85 Iris E. Walker  
86 Iris E. Walker, City Clerk  
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APPROVED AS TO FORM AND LEGALITY  
DATE 10/12/05 BY FL