

QUESTIONS AND ANSWERS FOR STATE EMPLOYEES IN THE UNIFORMED SERVICES

- [Eligibility](#)
- [Supplemental Pay](#)
- [Leave Accruals](#)
- [Training Duty](#)
- [Emergency Active Duty](#)
- [Military Leave Hours](#)
- [Insurance Coverage](#)
- [Return to Work](#)
- [Pay Increases](#)
- [Retirement](#)

Important Note: This document briefly summarizes employment and reemployment rights and benefits of state classified employees who are absent from their state job to serve in the uniformed services. It is not possible to capture all the details and complexities of the law in this limited space. For a more comprehensive review of these rights and benefits, you may review the federal law and the Michigan Civil Service rules and regulations. If you are an exclusively-represented state employee, you should review your union's collective bargaining agreement.

ELIGIBILITY

Who is eligible for military leave?

Any career classified employee who leaves work for service in the uniformed services is eligible. This military leave is unpaid. You will receive full seniority credit for your military leave if your cumulative, nonexempted military service is under 5 years, your discharge is not disqualifying, and your return is timely.

Who is eligible for military leave with pay?

There is no paid military leave, however some career classified employees who are members of National Guard or reserve units ordered to training or emergency active duty by compulsory call of the governor or president may qualify for supplemental pay. Employees may use annual leave, banked leave, or compensatory time credits for military service to receive full pay.

Can my employer deny my request for military leave?

No. Employees only need to give notice of leave, they do not need permission. Employees will need to provide documentation to verify their dates of military leave for leave over 30 days.

I am performing unpaid service (funeral honors duty, attending a special investigation hearing out of state, etc.). Can I take military leave for this and receive seniority benefits?

If you are under military orders and performing duties required as part of your military service, you are eligible for a military leave with seniority benefits.

SUPPLEMENTAL PAY

What is supplemental pay?

Supplemental pay is the difference, if any, between the gross base wage as a classified state employee and the gross military basic pay received for each otherwise regularly scheduled workday.

Do I qualify for supplemental pay?

If you are employed in a career appointment and are a member of a reserve or National Guard unit, you may be eligible for supplemental pay if you (a) are ordered to active or inactive duty training, (b) are ordered to

emergency active duty by the governor or president, or (c) volunteer for emergency active duty. If you are a non-career employee, you are not eligible for supplemental pay.

What uniformed service is ineligible for supplemental pay and benefits?

You are not entitled to supplemental pay and benefits if you enlist in the uniformed services, attend basic training, or for any period of leave before or after military duty (decompression time). Additionally, supplemental pay for training duty is limited to 15 scheduled workdays (120 hours) each fiscal year. The MSPTA collective bargaining agreement limits supplemental pay to 20 scheduled workdays (160 hours) of training duty each fiscal year. The AFSCME collective bargaining agreement limits supplemental pay to 15 scheduled workdays (120 hours) each calendar year. Employees on military leave for emergency active duty are eligible to receive supplemental pay for the duration of the emergency active duty.

If I code my time No Pay Military Leave (NPML) for military training days, what documentation do I need to submit to receive supplemental pay?

To receive supplemental pay, an eligible employee must submit to MCSC-MilitaryLeave@michigan.gov Military Leave & Earnings Statements (LES) covering the dates on which NPML was entered on the employee's timesheet.

Once I submit my LES, how long until I receive my supplemental pay?

Supplemental pay for training duty is processed after the dates on the LES and after the state pay period in which those dates fall. Supplemental pay for emergency active duty is processed after the period end date on the LES and according to the yearly [Processing Schedule for Supplemental Pay](#).

I am on third shift. Is my shift differential considered when calculating supplemental pay?

No. Supplemental pay is calculated using your base pay rate only. Overtime, on-call, callback, and any other special pay premiums or allowances are not included in the employee's base rate of pay when computing a pay differential.

I earn more in the military than I do with the state. Am I entitled to any supplemental pay?

No. Differential is not paid for any period when the employee's gross pay in the uniformed service exceeds the employee's gross base wage in the classified service.

I volunteered for additional unpaid military duty (performing extra weekend drills for military retirement credit, special recruitment days at high schools and fairs, etc.). Will I be eligible to receive supplemental pay for these days?

No. If the military does not pay you, you are not eligible for supplemental pay. Unless you are under orders, NPML can not be used for volunteering for unpaid military duty.

Am I entitled to holiday pay?

If you are eligible for supplemental pay, you are entitled to 8 hours of pay at your base state wage for a designated holiday that is observed during military leave for training or emergency active duty for which you are eligible to receive supplemental pay. Any period of leave used before or after military duty (decompression time) will not qualify for holiday pay.

Will I receive my longevity pay while on military leave?

Yes. You should receive your full annual longevity payment if any part of the year has been in military service.

Child support is being withheld from my pay. Will the state continue to withhold it?

If you are receiving supplemental pay, child support will continue to be withheld in accordance with the court order. The deduction will be prorated if the supplemental pay is insufficient to take the full amount.

What taxes are withheld?

Federal, state, and local income taxes will be withheld from supplemental pay in accordance with your W-4 elections and the applicable withholding charts. Medicare and social security will be withheld from supplemental pay, unless you are on active duty service in a combat zone or performing duty in support of troops in a combat zone. In that case, you will have no withholding for Medicare and social security.

LEAVE ACCRUALS

Do I receive annual and sick leave accruals while on military leave?

You can receive sick and annual leave accruals for the first 30 consecutive calendar days of emergency active duty and the first 15 days (120 hours) of training duty each fiscal year. MSPTA employees receive leave accruals for 20 scheduled workdays (160 hours) of training duty each fiscal year. AFSCME employees receive leave accruals for 15 scheduled workdays (120 hours) of training duty each calendar year. Leave accruals are not issued until the employee submits documentation that eligible military service was performed.

If I code my time No Pay Military Leave (NPML) for military training days, what documentation do I need to submit to receive eligible annual and sick leave accruals?

Leave accruals are issued after the employee submits documentation that eligible military service was performed. Documentation suitable to establish eligibility for leave accruals include only:

- Military Leave & Earnings Statement (LES) that includes the basic pay amount and the dates that the LES covered;
- DD-214, Certificate of Release or Discharge from Active Duty; or
- Military Attendance Schedule or Master Military Pay Account History (MMPA); or
- Document on military letterhead signed by a military superior confirming that the employee performed military duty on specific dates.

Will I receive the October personal leave grant while on military leave?

Yes, when you return to work you will receive the allotted number of hours for your bargaining unit or as provided in Civil Service Commission Rules if you are a non-exclusively represented employee.

TRAINING DUTY

I have been called to report to my unit for training. What do I need to do to request leave?

Employees only need to give notice of leave, they do not need permission. You should notify your supervisor and Human Resources Office as soon as possible. If you have official orders, employer memorandums, or drill schedules, please provide a copy to your Human Resources Office to facilitate your military leave.

How many days of military leave for training is a state employee entitled to receive each year?

There is not a limit on the number of unpaid days that an employee can use for military leave. However, limits exist for eligible supplemental pay and leave accruals. Supplemental pay and leave accruals for training duty is limited to 15 scheduled workdays (120 hours) each fiscal year. The MSPTA collective bargaining agreement limits supplemental pay to 20 scheduled workdays (160 hours) of training duty each fiscal year. The AFSCME collective bargaining agreement limits supplemental pay to 15 scheduled workdays (120 hours) each calendar year.

What happens when I have exhausted the 15 days (120 hours) of supplemental pay per year?

Once you exhaust all 15 workdays (120 hours) in a year to receive supplemental pay and leave accruals, you may (1) use your available annual, banked, or compensatory leave balances, or (2) receive no payment from the state for the remainder of the service. If you use leave time, you can keep both the state and military pay for those days. If you do not have accrued leave time available or choose not to use leave, your time will be coded as No Pay Military Leave (NPML). You will not receive supplemental pay for these days but will receive seniority credit.

Do I receive annual and sick leave accruals for all training duty?

Accruals are credited only up to the first 15 days (120 hours) of eligible training duty under rule 2-14.2(a), whether or not you are eligible for supplemental pay. Leave accruals are not issued until the employee submits documentation that eligible military service was performed. Documentation suitable to establish eligibility for leave accruals include only:

- Military Leave & Earnings Statement (LES) that includes the basic pay amount and the dates that the LES covered;
- DD-214, Certificate of Release or Discharge from Active Duty; or
- Military Attendance Schedule or Master Military Pay Account History (MMPA); or
- Document on military letterhead signed by a military superior confirming that the employee performed military duty on specific dates.

If I do not use the total 15 (120 hours) training days per year, can I carry forward those hours for next year's allotment?

No, unused hours are lost.

What if my military training is for an extended period, such as 75 days for specialized training and I have already used the 15 days (120 hours) per year?

You will be placed on an unpaid regular military leave. Upon your return to work, you will receive seniority credit for all 75 days once documentation that eligible military service was performed is submitted.

How do I code my time in SIGMA when I go on military leave for training?

Employees may use annual leave, banked leave, or compensatory time credits for military service. Otherwise, time is entered as NPML for the employee's regularly scheduled workday. Administrative leave or sick leave cannot to be used by employees absent for military leave. State holidays during a short-term military training assignment are coded as HOL* hours. Employees on an extended military training cannot spread out leave accruals among different weeks to prolong insurance coverage eligibility.

Will the state pay for travel time to attend monthly training? I go from Baraga to Grayling.

No. You may leave your state job so that you have enough time to travel safely to your military duty and arrive fit for duty. This pre-duty time is unpaid and coded as NPML unless accrued annual, banked, or compensatory leave is used.

My Human Resources Office wants proof that I attended military training duty. What must I give them?

Documentation for return to work is required only for leaves over 30 days. The documentation listed below is acceptable to verify absence from regularly scheduled workdays for service in the uniformed services:

- Military Leave & Earnings Statement (LES) that includes the basic pay amount and the dates that the LES covered;
- DD-214, Certificate of Release or Discharge from Active Duty; or
- Military Attendance Schedule or Master Military Pay Account History (MMPA); or

- Document on military letterhead signed by a military superior confirming that the employee performed military duty on specific dates.

Orders do not verify that the employee performed military service. Orders are an "intent" or a "notice" of possible military service. Orders can be cancelled, postponed, amended, or extended. It is the employee's responsibility to provide documentation, described above, that military duty was performed.

Documentation to receive supplemental pay and leave accruals, regardless of length of leave, are described in the Supplemental Pay and Leave Accruals sections of this document.

EMERGENCY ACTIVE DUTY

What is emergency active duty?

Emergency active duty means active duty in a uniformed service in support of emergency operations during a national emergency declared by the president, state emergency declared by the governor, or war declared by the United States Congress.

I have been called to report to my unit for emergency active duty. What do I need to do?

Notify your supervisor and Human Resources Office as soon as possible. Unless precluded by military necessity, an employee must provide the employer prior oral or written notice before taking leave for military duty. Employees should provide as much notice as possible. Failure to provide notice could result in a denial of protections under USERRA.

If possible, provide military orders. When an employee submits military orders, it (1) provides notice to the employer of possible absence from work, and (2) informs the financial offices whether the military service is training duty, emergency active duty in or in support of soldiers in a combat zone, or another type of active duty military service not qualifying for social security/Medicare tax exemption.

Are there time limits for emergency active duty with supplemental pay?

Extended supplemental pay is currently available for all emergency active duty while under a declaration of national emergency.

Do I receive annual and sick leave accruals for emergency active duty?

Annual and sick leave accruals are credited only for the first 30 consecutive calendar days of eligible emergency active duty under rule 2-14.2(b).

Will I be taken off payroll once I am activated?

No. Currently, state employees called to emergency active duty are under special pay provisions. Your time is coded as No Pay Military Leave (NPML) and benefits continue. When you submit your Leave and Earnings Statement (LES), your eligible supplemental pay will be processed. If you do not want insurance coverages for yourself or your dependents while you are on active duty, you must send a written request to MCSC-EBD@michigan.gov authorizing that action. This will end insurances coverages for yourself and any dependents.

MILITARY LEAVE HOURS

Can I use my available leave balances for military leave?

You may use available annual, banked or compensatory leave for your military leave only at the beginning of any military leave. Using available leave accruals for your military leave allows you to keep both your state and military pay for those days. If you are on an extended military training, leave accruals can not be spread out among different weeks to prolong your insurance coverage eligibility.

Can I use my available sick leave balances for military leave?

No.

Can I take time away from my job before my military leave starts?

Yes. For training leave, you may take off enough time to travel safely to your military duty and arrive fit for duty. For extended emergency active duty, you may take a reasonable amount of time off your state job to put your affairs in order before beginning your duty. This pre-duty time off is unpaid, unless accrued annual, banked, or compensatory leave is used.

What is considered a “reasonable amount of time” before my emergency active duty begins to get my affairs in order?

Whether a request for unpaid pre-duty military leave is reasonable will depend on your unique circumstances and will be judged by your department.

Does the state pay me for travel time to my military destination?

No. You may leave your state job so that you have enough time to travel safely to your military duty and arrive fit for duty. This pre-duty time is unpaid and coded as NPML unless accrued annual, banked, or compensatory leave is used.

What if I do not use available leave balances for travel time?

If you do not have or use leave time, your time will be coded as No Pay-Military Leave (NPML). You will not receive supplemental pay for these days.

I work an Alternative Work Schedule (AWS). How is my time coded?

Emergency Active Duty:

For employees working 80 hours per pay period, time entry is always coded as NPML on a Monday-Friday schedule, even for state holidays. If an employee leaves in the middle of a pay period, NPML is used for as many days needed to complete 80 hours in a pay period.

For employees who work Alternative Work Schedules (AWS) that total greater than 80 hours per pay period, employees' time is always reported as NPML for their normal work schedule and hours. If an employee leaves in the middle of a pay period, NPML is used for as many hours needed to complete their normal hours in the pay period.

Training Duty:

Unless a qualifying paid leave type is used, employees' time is reported as NPML for their normal work schedule. State holidays during a short-term military training assignment are coded as HOL* hours.

Does my time on military leave count toward my eligibility for family medical leave?

Yes, all time on military leave for service in the uniformed services is included in calculating both the 12-month service requirement and the 1,250-hour work requirement for the Family Medical Leave Act.

INSURANCE COVERAGE

Do my insurance coverages continue while I am on military leave for emergency active duty?

Yes. An employee on full-time emergency active duty receives continued health, dental, and vision benefits for the duration of the military orders, except during any decompression time, by paying the employee's portion of the cost.

Do my insurance coverages continue while I am on military leave for long-term training?

USERRA entitles employees to continue health, dental, and vision insurances for the first 30 days of any military service. The 30-day counter begins on the first day that the employee is no longer entitled to supplemental pay. At the end of the 30 days, if that last day is in the middle of a pay period, insurances continue to the end of the pay period. After 30 days, you may continue coverage for up to 24 months by paying 102% of the employer's share plus the employee's share of the coverage's premium. Your HR office will send COBRA enrollment forms.

How are insurance premiums paid during my emergency active duty leave?

If your leave is eligible for supplemental pay, the state will continue to pay the employer's share of health insurance. Your share of benefit deductions will go into arrears while on leave. Arrears will come out on your first supplemental pay. If your leave is not eligible for supplemental pay, you must make arrangements for payment of 102 percent of the full premium cost to continue your dependents' coverage for up to two years.

Can I cancel my insurances coverages while I am on emergency active duty?

If you do not want insurance coverages for yourself and your dependents while you are on emergency active duty, you must send a written request to MCSC-EBD@michigan.gov authorizing that action. You can not cancel your coverage and keep only dependent (family) coverage.

Can I change plans or coverage for my dependents while I am on military leave?

When a military leave begins, dependents can only continue coverage for plans they are currently enrolled in. Changes to coverage can be made during annual open enrollment periods or within 31 days of a qualifying life event.

Can I continue my long-term disability (LTD) coverage while on military leave?

No. Your LTD will be stopped once your military leave begins and will be reactivated when you return to work.

RETURN TO WORK

I am being discharged from emergency active duty. Who do I need to contact regarding returning to work?

As soon as you know your discharge date, you should notify your supervisor and Human Resources Office of your discharge date and your expected return to work date.

Do I have to return to work immediately after being discharged from emergency active duty?

No. You may take additional time off to "decompress" from your military service before returning to your state job. This time is referred to as "decompression time".

How much decompression time am I entitled to?

Decompression time is based on the number of days of military service. You must report to work within the following limits:

- Less than 31 days: Immediately upon release from duty. Your agency must allow for travel time and eight hours of rest.
- 31 to 180 days: Within 14 days after the end of your military service.
- 181 or more days: Within 6 months after the end of your military service.

Can I receive supplemental pay during decompression time?

No. Decompression time is always an unpaid military leave, unless you use accrued annual, banked, or compensatory leave. If you return to work after discharge using annual, banked leave, or compensatory time, your entitlement to any further decompression leave ends.

What documents are required to be reinstated to my position?

Documentation for return to work is required only for leaves over 30 days. The documentation listed below is acceptable to verify absence from regularly scheduled workdays for service in the uniformed services:

- Military Leave & Earnings Statement (LES) that includes the basic pay amount and the dates that the LES covered;
- DD-214, Certificate of Release or Discharge from Active Duty; or
- Military Attendance Schedule or Master Military Pay Account History (MMPA); or
- Document on military letterhead signed by a military superior confirming that the employee performed military duty on specific dates.

Orders do not verify that the employee performed military service. Orders are an "intent" or a "notice" of possible military service. Orders can be cancelled, postponed, amended, or extended. It is the employee's responsibility to provide documentation, described above, that military duty was performed.

Once I ask for reinstatement, do I get my old position back?

Upon return from a period of duty in the uniformed services lasting 90 days or less, you will be returned to the same or similar position within your former classification. If the period of duty lasts more than 90 days, you may be placed in any position of equivalent status, seniority and pay, regardless of the duration of duty. However, layoffs and organizational changes during your leave may affect the position you are reinstated to.

If my agency has a layoff while I am on emergency active duty, can I be laid off?

Yes. If layoffs or other organizational changes occur during your leave, your position upon return will be determined by applying employment preference as if you had been working at the time, including any seniority credit due for military service. If this would result in your separation or demotion, this will affect your eligibility for and calculation of any supplemental pay.

I am currently laid off and have been called to emergency active duty. What are my rights?

If you would have been recalled while on emergency active duty, you are entitled to a working position upon release from duty if you have applied for reinstatement. You may qualify for retroactive supplemental pay starting from the date you would have been recalled.

I was injured during military duty. My doctor is recommending convalescence time. Can I continue my military leave?

Yes. You must present documentation establishing military confirmation that the injury or illness is duty-connected. If you are no longer on active duty during your convalescence, you will no longer be eligible for supplemental pay, but you will receive seniority credit for this time when you return to work.

PAY INCREASES

Will I receive annual general wage increases?

If general wage increases for your classification are approved, those increases will be processed in the payroll system and reflected in your supplemental pay calculations.

Will I receive my step increases while on emergency military leave?

Yes. If you were in satisfactory status when your military leave began, you will receive step increases due while on leave.

I think I should qualify for reclassification from the 8 level to the 9 level while I am on emergency active duty. Will I receive my level increase?

No. Only step increases are continued while you are on emergency active duty. Reclassifications are a performance-based benefit and not given automatically. You must be performing the duties for the specified time required before a reclassification will be granted. However, once you return and complete the probationary period, your pay and seniority should reflect both the pre- and post-service time in the probationary period, plus the time served in the military.

RETIREMENT

Do I receive credit for retirement when on military leave?

If you return timely to work in the classified service, you must submit the appropriate documentation to the Office of Retirement Services (ORS) for non-intervening and intervening military leave to determine your eligibility for retirement service credit. If you are in the defined benefit plan, the time will be credited as service. If you are in the defined contribution plan, the State will contribute an amount up to 4% of the hypothetical state pay you would have received but for your military service. Additionally, employees in the defined contribution plan may make up missed elective contributions to their 401(k) or 457 plan and the State will match those contributions under the terms of the plan.

What should I do to ensure that my retirement records reflect my military service?

Employees returning from military leave can obtain intervening retirement service credit and missed employer 401(k) contributions by submitting a military service credit application to ORS along with a copy of their DD214 and/or LES:

- Defined Contribution plan employees (DC or 40 plan) should use form [R0717G](#)
- Defined Benefit Plan employees (DB or 04plan) should use form [R81G](#)

Who can I contact if I have questions about retirement credit while on military leave?

Questions about state retirement credit should be directed to ORS at 800-381-5111. The retirement system is independent and separate from the MCSC and HR Offices. ORS will only discuss an employee's retirement program with the employee

Additional information on military leave processing can be found on the Michigan Civil Service Commission's [military leave website](#). Questions should be directed to MCSC-MilitaryLeave@michigan.gov.