



County of Los Angeles
Military and Veterans Affairs
1816 S. Figueroa Street
Los Angeles, California 90015
877- 4 - LAVETS
mva.lacounty.gov



August 26, 2019

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**EXTEND MILITARY LEAVE OFFSET PAY
ALL DISTRICTS
(3 VOTES)**

SUBJECT

Recommendation to extend the suspension of the 720-day limit for purposes of continuing military offset pay, cafeteria benefits and leave benefit accruals (collectively "benefits") for County Employees who are military reservists beyond 2019.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the continued suspension of the 720-day limit on County-provided benefits through calendar year 2021.
2. Instruct the Department of Military and Veterans Affairs to monitor the actual usage of this benefit and return to the Board of Supervisors (Board) with a report and appropriate recommendations by July 1, 2021.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On October 16, 2012, the Board approved changes to the military leave policy applicable to County employees who are military reservists. This included a suspension

of the 720-day limit on benefits. On June 25, 2015, the Chief Executive Office (CEO) provided the Board with a memorandum recommending the continued suspension of the 720-day limit for an additional two years through calendar year 2017 and on December 2015, the Board approved the recommendation. The CEO reported back to the Board with further updates and appropriate recommendations on June 15, 2017. The CEO provided the Board with a memorandum recommending the continued suspension of the 720-day limit for an additional two years through calendar year 2019 and on August 15, 2017 the Board approved the recommendation. The Department of Military and Veteran Affairs reported back to the Board with further updates and appropriate recommendations on August 26, 2019.

The circumstances that justified the suspension of the 720-day limit initially in 2012, and the subsequent continued suspension in 2015 and 2017, have not changed significantly since that time. The recommendation in the December 2017 Board letter was based on findings that reservist activations are up, but the number of employees out on military leave for longer than 720 days remains similar. According to the most recent quarterly military activation report provided by the Department of Military and Veteran Affairs, there are 658 reservists within the County, of which 288 (43.8%) were engaged in active military service beginning April 1, 2019 through June 30, 2019. Seven (7) individuals have been on leave for more than 720 days during FY 17-18 and FY 18-19, and without this suspension, those reservists would have been adversely impacted.

By continuing the suspension of the 720-day limit for an additional two years, the County will continue to protect those reservists who give the most in terms of length of deployment, and will guarantee that those employees and their dependents do not suffer from a reduction in benefits and economic loss because of extended active military service.

Implementation of Strategic Plan Goals

The recommended action is consistent with the County of Los Angeles Strategic Plan Goal III.3, by pursuing operational effectiveness, fiscal responsibility, and accountability by allowing reservists to serve in the military beyond 720 days in order to provide essential services to the public and other government agencies, without a reduction in benefits.

FISCAL IMPACT/FINANCING

Since the continued suspension approved by the Board on August 15, 2017, the average annual cost to the County for continuing military offset pay beyond 720 days was \$488,312; this is down 19% from last period's reporting period of \$601,622. During the FY 17-18, FY 18-19 time frame, a total of seven (7) employees were on military leave longer than 720 days.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

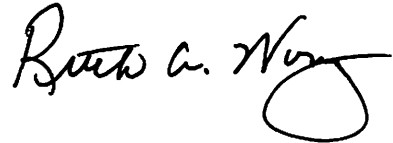
On October 16, 2012, the Board approved an ordinance change, which was approved as to form by County Counsel, and included the suspension of the 720-day limit for

County-provided military offset pay. On August 17, 2017 the Board approved the recommendation to continue the suspension of the 720-day limit.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

No impact on current services.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ruth A. Wong". The signature is fluid and cursive, with a large loop at the end of the last name.

Ruth A. Wong
Director

Military and Veteran Affairs
RAW:DD



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August 26, 2019

To: Each Supervisor

From: Ruth A. Wong, Director
Military and Veteran Affairs

A handwritten signature in black ink, appearing to read "Ruth A. Wong".

REPORT BACK ON MILITARY LEAVE

On August 15, 2017 the Board approved the recommendation to extend the suspension of the 720-day limit for purposes of continuing military offset pay, cafeteria benefits and leave benefit accruals (collectively "benefits"), for County employees who are military reservists through calendar year 2019. The Board further instructed the Department of Military and Veteran Affairs to report back by July 1, 2019 as to the need for any further suspension. The information in this memorandum constitutes that report.

Background

California law requires that State and local government employers provide up to 30 days of paid military leave each year to eligible employees performing active military service. The 30 days generally covers routine annual training, and may also cover a portion of longer-term deployments. The State mandated benefit is paid in addition to any pay received from the military, and is not reduced or offset by the value of the military pay.

The County's paid military policy is designed to complement the State benefit with respect to longer-term deployments. However, the County's benefit (military offset pay) differs in that it supplements the difference, if any, between a reservist's military salary and his or her County Salary. Since the Board's action in 2012, military offset pay and benefits have been applied without limit for the full duration of a reservist's active military service.

The County's military leave policy has changed over time to reflect the nation's changing dependence on military reservists. The military offset pay and benefits concept was originally established in 1991 in connection with the Iraq-Kuwait crisis. The military offset benefit at that time had a maximum duration of 360 days.

Following the 9/11 attacks, the County's military offset pay and benefits were re-established with a maximum duration of 720 days. In 2012, the Board suspended the 720 day limit through 2015, then through 2017 and most recently continued the suspension to 2019 based on the Chief Executive Office recommendation in August 2017.

Reservist Activations Are Up Slightly

Each quarter, the Department of Military and Veteran Affairs produces reports that reflect the number of reservists by department for each month, and the number of employees currently performing active military service. In August of 2019, it was reported to the Board that there are 658 reservists within the County, of which 288 (43.8%) were engaged in active military service beginning April 1, 2019 through June 30, 2019.

Reservist 720+ day Activations Are Down Slightly

In 2015, CEO reported that there were nine (9) instances between 2012 through 2015 where a reservist had remained on active military duty for more than 720 days. In 2017 CEO reported nine (9) reservists out on military leave for more than 720 days. As of August 2019, there were seven (7) reservists out on military leave for more than 720 days. Six of the seven reservists who are currently out longer than 720 days were also the same reservists reported back in 2017.

Countywide Military Leave Coordinator

The Board's action on October 16, 2012, provided for the establishment of a Countywide Military Leave Coordinator. In March 2015, a Countywide Military Leave Coordinator was appointed to report to the Director of Military and Veteran Affairs.

It was intended that this position would have the responsibility to track Countywide military leave usage and to ensure that all County departments are current and compliant with State and Federal laws pertaining to reservists' employment rights, as well as related County policies. The duties of the position also include assisting County departments in the administration of State and Federal law, County ordinances, and other Board approved policies pertaining to compensation and employment rights. This position works directly with County departments, the Chief Executive Office, and other central staff agencies to ensure reservists receive the salary and employee benefit coverage to which they are entitled to during service, and all employment rights guaranteed by law and Board policy upon return from service.

Continuation of Suspension and Further Monitoring

We recommend that the suspension of the 720 day limit on military offset pay be extended for an additional two years through calendar year 2021, and that the Department of Military and Veteran Affairs report back with an update and appropriate recommendations by July 1, 2021. Our reasoning is as follows:

- The purpose of the County's paid military leave policy is to protect reservists and their dependents from economic loss as a consequence of active military service.
- The suspension of the 720-day limit protects those reservists who give the most in terms of length of deployment. Without this protection, the nine individuals who have been out for longer than 720-days would have been adversely impacted over the last 4 years.

Continuation of the suspension or reinstatement of the 720-day limit requires formal action by the Board. We will, therefore, place a recommendation on the agenda for Board approval before the close of calendar year 2019.

If you have any questions or need additional information, please contact me or our Countywide Military Leave Coordinator, Dimitri de Silva, at DdeSilva@mva.lacounty.gov

RAW:DD