

Executive Board

(Systemwide Senate Review) Draft Presidential Policy – Supplement to Military Pay

Table of Contents

Exec Final UC Senate Response-Supplement to Military Pay	1
---RH-SC-supplement-to-military-pay	1
---all Senate comments military pay	3
Exec Divisional Response - UCLA Senate re Proposed Systemwide Supplement to Military Pay	22
---Dear Chair Horwitz,	22
---The Divisional Executive Board, councils, and committees appreciate the opportunity to review the Draft Presidential Policy on Supplement to Military Pay. The Executive Board reviewed and endorsed the proposal and divisional council and committee feed...	22
---Sincerely,	22
Exec (Systemwide Senate Review) Draft Presidential Policy – Supplement to Military Pay	23
Exec Proposed Systemwide Supplement to Military Pay_CLEAN (2)	26
---I. POLICY SUMMARY	27
---II. DEFINITIONS	27
---III. POLICY TEXT	27
---IV. COMPLIANCE / RESPONSIBILITIES	31
---V. PROCEDURES	33
---VI. RELATED INFORMATION	35
---VII. FREQUENTLY ASKED QUESTIONS	36
---VIII. REVISION HISTORY	37
Exec Proposed Systemwide Supplement to Military Pay_TRACKED	39
---I. POLICY SUMMARY	39
---II. DEFINITIONS	40
---III. POLICY TEXT	40
---IV. COMPLIANCE / RESPONSIBILITIES	46
---V. PROCEDURES	48
---VI. RELATED INFORMATION	52
---VII. FREQUENTLY ASKED QUESTIONS	53
---VIII. REVISION HISTORY	53
Exec 2022-01-21_SMP_Presidential Policy_Systemwide_Review_Model_Communication	55



*Robert Horwitz
Telephone: (510) 987-0887
Email: robert.horwitz@ucop.edu*

*Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

April 28, 2022

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

Re: Proposed Revisions to the Presidential Policy on Supplement to Military Pay

Dear Susan:

As requested, I distributed for systemwide Senate review the proposed revisions to the Presidential Policy on Supplement to Military Pay. Nine Academic Senate divisions and one systemwide committee (UCPB) submitted comments. These comments were discussed at Academic Council's April 27 meeting and are attached for your reference.

We understand that the Policy supplements military pay for eligible UC employees on an active overseas military mobilization campaign if the employee's military pay is less than their University salary. Employees receiving supplements are also eligible to receive University contributions for health and welfare benefits, subject to a two-year lifetime limit. We also understand that the revision would remove the existing four-year renewal provision and extend the policy indefinitely. In addition to extending the policy indefinitely, the revisions update and clarify existing policy language and definitions.

In general, the Senate supports the proposed modifications and the renewal of the policy for an indefinite term; however, Council agrees that if the policy is renewed for an indefinite term, it should also continue to be reviewed periodically to assess its effectiveness and continued alignment with University goals.

The Senate also recommends clarifying to whom and in what circumstances the provisions of the policy apply. Specifically, we are unsure if limiting the supplement to "overseas" deployments will account for a domestic disaster relief effort that entails an active duty recall of the National Guard or military Reserves, or apply to foreign locations that are not strictly "overseas." The Senate is also concerned that the policy includes specific provisions that could disproportionately disadvantage the lowest paid UC employees, and includes newly added changes that could make health and welfare benefits more restrictive for some eligible employees.

We appreciate the opportunity to comment and encourage you to consider these issues as you make final revisions to the policy. Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Horwitz".

Robert Horwitz, Chair
Academic Council

Cc: Academic Council
Campus Senate Directors
Executive Director Baxter

Encl.



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

March 29, 2022

ROBERT HORWITZ
Chair, Academic Council

Subject: Proposed revisions – Presidential Policy on Supplement to Military Pay

Dear Chair Horwitz:

The Council of the Berkeley Division (DIVCO) endorsed the proposed revisions to the UC Presidential Policy on *Supplement to Military Pay*. In addition, DIVCO questioned the limitations to overseas obligations. This policy should be applicable if there are military activities in the United States, as well as U.S. territories. For example, the National Guard were deployed to various U.S. cities to assist with COVID-19 relief efforts by creating overflow quarantine areas and extra hospital beds. Also, the definition of “overseas” should include countries that are not “overseas”, such as those in North, Central, and South America.

Sincerely,

Ronald C. Cohen
Professor of Chemistry
Professor of Earth and Planetary Science
Chair, Berkeley Division of the Academic Senate

Enclosure

cc: Mary Ann Smart, Vice Chair, Berkeley Division of the Academic Senate
Jocelyn Surla Banaria, Executive Director



DAVIS DIVISION OF THE ACADEMIC SENATE
ONE SHIELDS AVENUE
DAVIS, CALIFORNIA 95616-8502
(530) 752-2220
academicsenate.ucdavis.edu

April 19, 2022

Robert Horwitz
Chair, Academic Council

RE: Proposed Revisions to the Presidential Policy on Supplement to Military Pay

Dear Robert,

The proposed revisions to the Presidential Policy on Supplement to Military Pay were forwarded to all standing committees of the Davis Division of the Academic Senate. Two committees responded: Faculty Welfare (CFW), and Planning and Budget (CPB).

Committees support the proposed revisions. CPB noted two areas of concern:

- Section III.D.1. states that the Group Insurance Regulations will determine whether employees can continue UC health and welfare benefits, rather than the prior policy, which allowed coverage for up to two years. Could this make health and welfare benefits more restrictive for some eligible employees?
- Section V.A.5 states that employees may enroll, change, cancel, or opt out of health and welfare benefits. Does this decision need to be made within a certain timeframe of an employee's change in status?

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker".

Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate

March 18, 2022

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: Request for Consultation – Proposed Revisions to the Presidential Policy on Supplement to Military Pay

Dear Richard:

The Committee on Faculty Welfare has reviewed the RFC – Proposed Revisions to the Presidential Policy on Supplement to Military Pay and did not have any comments regarding the proposed revisions.

Sincerely,

A handwritten signature in blue ink that reads "Karen L. Bales". The signature is written in a cursive style with a large, sweeping flourish at the end.

Karen L. Bales

Chair, Committee on Faculty Welfare

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

April 8, 2022

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: Systemwide Review of Draft Presidential Policy – Supplement to Military Pay

The Committee on Planning and Budget (CPB) has reviewed and discussed the Systemwide Review of Draft Presidential Policy – Supplement to Military Pay. Overall, the CPB is supportive of this policy and the proposed changes; however, the CPB would be interested in learning more about the historical impact of this proposed policy (e.g., how many employees have used this policy, from what staffing categories, for what duration, and the cost of the program over time). In addition, some members voiced concerns about how the proposed changes to this policy appear to make the health and welfare benefits more restrictive for eligible employees. In particular, section III.D.1. suggests that the Group Insurance regulations will determine whether employees can continue UC health and welfare benefits, rather than the prior policy which allowed coverage for up to two years. CPB also has some concerns about the lack of UC health and welfare benefits coverage for those whose military pay exceeds their UC pay and will not be considered on pay status. It would also be useful to clarify in Section V.A.5 *when* employees may enroll, change, cancel, or opt out of health and welfare benefits. Does this decision need to be made within a certain timeframe of an employee's change in status?

CPB appreciates the opportunity to comment.

April 5, 2022

Robert Horwitz, Chair
Academic Council

Re: Systemwide Review of Draft Presidential Policy – Supplement to Military Pay

Dear Chair Horwitz,

The Irvine Division discussed the draft presidential policy on supplement to military pay at its April 5, 2022 Cabinet meeting. The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) also reviewed the policy. CFW's feedback is attached for your review.

CFW members generally agreed that the policy and proposed changes were clear and straightforward. Cabinet members had no additional feedback.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Joanna Ho, Chair
Academic Senate, Irvine Division

Enclosure: CFW memo

Cc: Georg Striedter, Chair Elect-Secretary
Jisoo Kim, Executive Director
Gina Anzivino, Associate Director



March 14, 2022

**JOANNA HO, CHAIR
ACADEMIC SENATE – IRVINE DIVISION**

Re: Systemwide Draft Presidential Policy – Supplement to Military Pay

Systemwide Senate Chair Robert Horwitz distributed for Systemwide Senate review proposed revisions to the presidential policy on supplement to military pay.

The Council discussed this issue at its meeting on February 8, 2022, and would like to submit the following comments:

1. Members generally agreed that the policy and proposed changes seemed clear and straightforward.
2. The majority of members voted in favor of removing all references to the four-year review provision.

Sincerely,



Terry Dalton, Chair
Council on Faculty Welfare, Diversity, and Academic Freedom

C: Jisoo Kim, Executive Director
Academic Senate

Gina Anzivino, Associate Director
Academic Senate

Matthew Hurley, Cabinet Analyst
Academic Senate



April 18, 2022

Robert Horwitz
Chair, UC Academic Senate

Re: **(Systemwide Senate Review) Draft Presidential Policy – Supplement to Military Pay**

Dear Chair Horwitz,

The Divisional Executive Board, councils, and committees appreciate the opportunity to review the Draft Presidential Policy on Supplement to Military Pay. The Executive Board reviewed and endorsed the proposal and divisional council and committee feedback at its meeting on April 14, 2022.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: April de Stefano, Executive Director, UCLA Academic Senate
Shane White, Immediate Past Chair, UCLA Academic Senate

UNIVERSITY OF CALIFORNIA, MERCED

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE
LEROY WESTERLING, CHAIR, ACADEMIC SENATE
senatechair@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

April 19, 2022

To: Robert Horwitz, Chair, Academic Council

From: LeRoy Westerling, Chair, UCM Divisional Council

Re: [Proposed Presidential Policy – Supplement to Military Pay](#)

The proposed Presidential Policy on Supplement to Military Pay was distributed for comment to the Merced Division Senate Committees and the School Executive Committees. No comments were offered.

The Merced Division thanks you for the opportunity to comment on these proposed revisions, and declines to comment.

CC: Divisional Council
Senate Office
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

JASON STAJICH
PROFESSOR OF BIOINFORMATICS
RIVERSIDE, CA 92521-0217
TEL: (951) 827-6193
EMAIL: JASON.STAJICH@UCR.EDU

March 16, 2022

Robert Horwitz, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: (Systemwide Senate Review) Draft Presidential Policy – Supplement to Military Pay

Dear Robert,

The Riverside Executive Council discussed the subject draft policy during their March 14, 2022 meeting and like the divisional Committee on Faculty Welfare are supportive of the policy. I have attached their memo.

Sincerely yours,

/s/ Jason

Jason Stajich
Professor of Bioinformatics and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office




Academic Senate

COMMITTEE ON FACULTY WELFARE

February 15, 2022

To: Jason Stajich
Riverside Division Academic Senate

Fr: John Heraty, Chair 
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed Revised Policy: Draft Presidential Policy – Supplement to Military Pay

The Committee on Faculty Welfare reviewed the proposed revised Draft Presidential Policy – Supplement to Military Pay at their February 15, 2022 meeting and was supportive of the policy as written.



OFFICE OF THE ACADEMIC SENATE

9500 GILMAN DRIVE
LA JOLLA, CALIFORNIA 92093-0002
TELEPHONE: (858) 534-3640
FAX: (858) 534-4528

April 6, 2022

Professor Robert Horwitz
Chair, Academic Senate
University of California
VIA EMAIL

Re: Divisional Review of Draft Presidential Policy – Supplement to Military Pay

Dear Professor Horwitz,

The proposed draft Presidential Policy – Supplement to Military Pay was distributed to San Diego Divisional Senate standing committees and discussed at the March 14, 2022 Divisional Senate Council meeting. Senate Council considered the indefinite extension of benefits to be a good commitment from the University to military service members and endorsed the proposal. It was suggested that although the benefits are extended indefinitely, the policy should still be reviewed periodically to keep it up to date.

The response from the Divisional Committee on Faculty Welfare is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Tara Javidi", with a stylized flourish at the end.

Tara Javidi
Chair
San Diego Divisional Academic Senate

Attachment

cc: Nancy Postero, Vice Chair, San Diego Divisional Academic Senate
Lori Hullings, Executive Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

February 28, 2022

TARA JAVIDI, CHAIR
Academic Senate, San Diego Division

SUBJECT: Presidential Policy on Supplement to Military Pay

The Committee on Faculty Welfare reviewed the Presidential Policy on Supplement to Military Pay at its February meeting. The Military Pay policy is updated to extend the benefits of covering for the pay difference and health care insurance coverage. The draft proposes to do this indefinitely instead of the previous 4-year renewal provision. The committee considered this a good commitment from the University to military service members. The proposed changes look reasonable. However, the committee would like to suggest that in light of the indefinite extension, perhaps the policy can include a periodic review timeline so that in the future, this policy will stay updated while renewal is guaranteed. The committee endorsed the proposed revisions.

Sincerely,

Shantanu Sinha, Chair
Committee on Faculty Welfare

cc: N. Postero
J.P. Guerra



UC SANTA BARBARA

Academic Senate
Susannah Scott, Chair
Shasta Delp, Executive Director

1233 Girvetz Hall
Santa Barbara, CA 93106-3050
<http://www.senate.ucsb.edu>

March 8, 2022

To: Robert Horwitz, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division *Susannah L Scott*

Re: Systemwide Review of Draft Presidential Policy – Supplement to Military Pay

The Santa Barbara Division distributed the proposed revisions to Senate councils and committees, including the Council on Faculty Welfare, Academic Freedom, and Awards (CFW), Council on Planning and Budget (CPB), Committee on Diversity and Equity (CDE), and the Committee on Research Policy and Procedures (CRPP). CPB and CRPP opted not to opine.


Both the CFW and CDE voiced their support for the policy. CDE found removing the four-year provision and other updates, including adding gender neutral language, to be appropriate. Some CFW members expressed reluctance at the proposal to remove periodic review of the program, "given that U.S. military engagement is beyond the control of the UC, and may have impacts or motivations which do not have unanimous endorsement of the faculty." The council ultimately agreed the policy should move forward while they reserve their right to rescind support or otherwise offer comment in the future.

We thank you for the opportunity to comment.

**Academic Senate
Santa Barbara Division**

March 29, 2022

To: Susannah Scott, Divisional Chair
Academic Senate

From: Lisa Parks, Chair 
Council on Faculty Welfare, Academic Freedom, and Awards

Re: Draft Presidential Policy - Supplement to Military Pay

The Council on Faculty Welfare, Academic Freedom, and Awards reviewed the proposed Draft Presidential Policy - Supplement to Military Pay at its meetings of February 2 and March 2, 2022. The council ultimately endorsed the policy of supporting employees' supplemental pay. However, some members expressed reluctance at removing the intermittent review of the program, given that U.S. military engagement is beyond the control of the UC, and may have impacts or motivations which do not have unanimous endorsement of the faculty. That said, given that policies regularly come under review, the council agreed this should move forward while they reserve their right to rescind support or otherwise offer comment in the future.

CC: Shasta Delp, Executive Director, Academic Senate

**Academic Senate
Santa Barbara Division**

February 18, 2022

To: Susannah Scott, Divisional Chair
Academic Senate

From: Jean Beaman, Chair
Committee on Diversity and Equity



Re: Draft Presidential Policy - Supplement to Military Pay

The Committee on Diversity and Equity (CDE) reviewed the draft Presidential Policy - Supplement to Military Pay. CDE found removing the four-year provision and other updates, including adding gender neutral language, appropriate, and offered their support to the revised policy.

CC: Shasta Delp, Executive Director, Academic Senate



1156 HIGH STREET
SANTA CRUZ, CALIFORNIA 95064

Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
(831) 459 - 2086

April 14, 2022

Robert Horwitz, Chair
Academic Council

Re: Systemwide Review of Draft Presidential Policy – Supplement to Military Pay

Dear Robert,

The Santa Cruz Division has reviewed the proposed revisions to the Presidential Policy on Supplement to Military Pay. Our Committees on Affirmative Action and Diversity (CAAD), Faculty Welfare (CFW), Planning and Budget (CPB), and Privilege and Tenure (P&T), have responded. The Santa Cruz Division applauds the inclusion of gender-neutral language in the proposed revisions. However, committee responses noted a need for more context and clarity, and raised some questions and concerns about the health and welfare benefits opt out/change timeline.

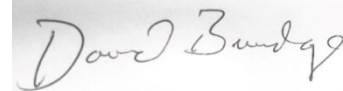
Our responding committees noted that it was difficult to opine on the proposed revisions without more contextual information. Questions were raised about the initial reasons for setting the policy up with a four-year renewal, and the reasons for now wanting to make the policy permanent. Additionally, the memo states that the supplement to military pay policy is “the only systemwide policy that currently has a four-year renewal provision”. It is not clear whether this means that there are no other systemwide policies with renewal provisions, or if there are other policies with renewal provisions, but with a different time cycle. Concerns were raised that making this policy permanent may lead to a situation where there is no review process. Further, one committee noted that the review materials did not shed light on roughly how many UC employees this policy applies to, which would have proven useful in terms of weighing the potential impact of the proposed revisions.

There is a need for further clarification in the draft policy on several points. With regards to who the policy applies to, the policy summary in Section I states that the policy applies to those on “active military duty in support of an ongoing overseas military mobilization campaign”. Committees questioned if this would include those in the Reserves who are deployed. Although there is usually a distinction between Active Duty and the Reserves, both may be mobilized overseas for long periods of time. More clarification regarding who this policy applies to is needed. Committees additionally noted that there is a lack of clarity about what is meant by “noncompliance” with the policy. We assume noncompliance to mean the failure of the administration to provide supplementary pay.

However, the intended meaning of this term should be clarified within the policy. Clarification is additionally needed with regards to health and welfare benefits. Although the policy states that, “Employees may enroll in, change, cancel or opt out of health and welfare benefits through UCPATH”, more information on the timing of these options would be helpful. Although not directly applicable to the proposed revisions, the Santa Cruz Division would additionally like to note that this review raised questions as to why UC would supplement the salary of those serving in the military, but not other forms of service that might require short-term absences from the university, such as service with humanitarian organizations.

Other than claiming that the policy is “military-friendly” and “straightforward to administer”, the review materials did not provide a strong argument as to why the policy should now become permanent. Without this additional information, one of our committees did not see the rationale for changing the policy, and was unable to support the proposed revisions at this time. Other responding committees expressed general support for the proposed revisions with additional clarification, and with an expectation that the policy will continue to be routinely reviewed. In all, there was no consensus of support for the proposed revisions to this Presidential Policy.

Sincerely,



David Brundage, Chair
Academic Senate, Santa Cruz Division

cc: Kirsten Silva Gruesz, Chair, Committee on Affirmative Action and Diversity
Nico Orlandi, Chair Committee on Faculty Welfare
Dard Neuman, Chair, Committee on Planning and Budget
Julie Guthman, Chair, Committee on Privilege and Tenure
Matthew Mednick, Executive Director, Academic Senate



UNIVERSITY COMMITTEE ON PLANNING AND BUDGET (UCPB)
Kathleen McGarry, Chair
mcgarry@econ.ucla.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200
Phone: (510) 987-9466
Fax: (510) 763-0309

APRIL 19, 2022

**ROBERT HORWITZ, CHAIR,
ACADEMIC COUNCIL**

**RE: PROPOSED REVISIONS TO THE PRESIDENTIAL POLICY ON SUPPLEMENT TO
MILITARY PAY**

Dear Robert,

UCPB appreciates the opportunity to review the proposed revisions to the Presidential Policy on Supplement to Military Pay.

Since 1990, the University of California has maintained a policy to supplement the compensation of UC employees who are called up for active military service. However, this policy is written such that it must be renewed every four years. The proposal will remove the renewal provision and make the policy permanent.

The proposal to remove the renewal provision is sensible and consistent with the intent of the policy; UCPB strongly supports the change. However, UCPB is concerned about consistency in language across various documents and more importantly, what are perhaps unintended consequences of the new policy which we fear could result in unequal treatment of University employees based on their pay level.

Language in the current policy indicates that an employee on pay status who is called up for military service can retain coverage in group insurance plans and that University contributions to such plans will continue for up to two years of military service. This language has been struck from the proposed revised policy and replaced with a reference to Group Insurance Regulations (GIR) under Military Leave. Section 1006 of the GIR indicates that University contributions may (not will) continue for up to two years *or through June 30, 2018*. Separate employment policies for staff (PPSM, section 2.210 E.1.d) and for faculty (APM 751, section 751-21.a.) do not specify the June 30, 2018 expiration date, but they do include statements that employees on military leave with pay will receive all benefits related to employment that are granted to the employee when on pay status. These statements in the PPSM and APM appear to be in conflict with provisions in the GIR that

specify a few restrictions on some coverages. The language in these various documents ought to be reviewed for consistency.

A more concerning issue stems from the seemingly harmless provision that an employee whose military pay exceeds their University pay is ineligible for the Supplement to Military Pay--a situation that is likely to apply to only the lowest paid university employees. Under the existing regular military leave policies, an employee in this category is considered to be on pay status for a maximum of 30 days. As such while employees remain eligible for coverage for up to six months, University contributions to premiums end after the 30-day period. Higher paid employees who *are* eligible for Supplement to Military Pay given their greater University salary, will maintain both their eligibility and University contributions to benefits for up to two years beyond the 30 days. Although the new language proposed for the revised Supplement to Military Pay allows those employees who are not eligible for Supplemental Military Pay to “use accrued vacation, PTO and/or compensatory time off (CTO), in order for the University to continue to pay the University’s contribution to their health plan premiums through the employee’s tour of active duty” (mirroring language that is already in the two employment policies), it seems unlikely that such employees will have sufficient accrued vacation or PTO to cover a tour of active tour of duty in support, particularly for overseas military mobilization. This provision therefore apparently disproportionately disadvantages those who can least afford it and as such is inconsistent with the spirit of the Supplement to Military Pay policy. UCPB suggests that this aspect of the policy be re-examined.

There was also some concern over how University contributions to the DC portion of the pension plan or service credit for the DB portion would accrue. Are contributions / accrual time based on total pay or only the University’s Supplement to Military pay? Again, low-income employees who are receiving no Supplemental Pay could be disproportionately affected.

UCPB strongly supports the intent of the proposed revisions and suggests some additional attention to specific language might be helpful.

Sincerely,

A handwritten signature in black ink that reads "Kathleen McGarry". The signature is written in a cursive, flowing style.

Kathleen McGarry, Chair
UCPB

April 18, 2022

Robert Horwitz
Chair, UC Academic Senate

Re: **(Systemwide Senate Review) Draft Presidential Policy – Supplement to Military Pay**

Dear Chair Horwitz,

The Divisional Executive Board, councils, and committees appreciate the opportunity to review the Draft Presidential Policy on Supplement to Military Pay. The Executive Board reviewed and endorsed the proposal and divisional council and committee feedback at its meeting on April 14, 2022.

Sincerely,



Jessica Cattelino
Chair
UCLA Academic Senate

Encl.

Cc: April de Stefano, Executive Director, UCLA Academic Senate
Shane White, Immediate Past Chair, UCLA Academic Senate



OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

January 21, 2022

CHANCELLORS
ACADEMIC COUNCIL CHAIR ROBERT HORWITZ
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

Re: Systemwide Review of Draft Presidential Policy – Supplement to Military Pay

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to the Presidential Policy on Supplement to Military Pay (“policy”). The current policy was last extended on July 1, 2018 and expires on June 30, 2022.

Background

The Supplement to Military Pay policy was implemented on March 15, 1991 (retroactive to August 2, 1990) by former President Gardner. The policy was revised on December 14, 2001 by former President Atkinson, and extensions have been granted every two to four years from 2002-2022. This is the only systemwide policy that currently has a four-year renewal provision.

Key provisions of the Supplement to Military Pay policy are highlighted below:

- Supplement to Military Pay policy covers the compensation difference between an employee’s University pay and military pay for academic and staff personnel serving on active military duty in support of an ongoing overseas military mobilization campaign.
- Under the current policy, supplemental pay will be provided until the end of the employee’s active military commitment, until the conclusion of the employee’s University appointment or until June 30, 2022 (the expiration of the current policy), whichever comes first, subject to a two-year lifetime limit.
- Under the current policy, University contributions for medical, dental and vision coverage will be provided until the end of the employee’s active military commitment, until the conclusion of the employee’s University appointment or until June 30, 2022 (the expiration of the current policy), whichever comes first.

Since the policy is military-friendly, straightforward to administer, and applies to all University academic and staff employees, Systemwide Human Resources Policy Unit and Academic Personnel and Programs recommend that we eliminate the four-year renewal provision and continue the Supplement to Military Pay policy indefinitely.

Thus, for this latest systemwide review, we propose the following changes:

- Removal of all references to the four-year review provision.
- Additions/update of existing policy language including scope, definitions, benefits terminology, compliance/responsibility and procedures.
- Updated links and addition of gender neutral language throughout the policy.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Academic Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about the draft policy. With respect to its represented employees, the University will adhere to any applicable bargaining obligations that may exist in connection with the adoption of this policy. Accordingly, the University will follow appropriate procedures with respect to represented employees and the Office of the President's Systemwide Labor Relations office will assist with that process.

The systemwide review period for the Supplement to Military Pay draft policy is **January 21, 2022 through April 21, 2022**. The draft policy is posted on [UCNet](#).

Comments from the Academic Senate and campus academic administrators should be submitted to ADV-VPCARLSON-SA@ucop.edu. Comments from HR leadership and staff employees should be compiled by HR Policy Coordinators and submitted to SHR Policy through Box. SHR Policy will communicate further with HR Policy Coordinators about this process.

Questions relating to academic personnel may be directed to Project Policy Analyst Gina Durrin at Gina.Durrin@ucop.edu. Questions from staff should be directed to location HR Policy Coordinators. Location questions related to staff employees may be directed to Systemwide HR Policy Specialist Olga Zundel at Olga.Zundel@ucop.edu.

Sincerely,



Susan Carlson
Vice Provost
Academic Personnel and Programs



Cheryl A. Lloyd
Vice President
Systemwide Human Resources

Enclosures:

Proposed Draft Presidential Policy – Supplement to Military Pay (clean copy)
Proposed Draft Presidential Policy – Supplement to Military Pay (tracked copy)
Model Communication

cc: President Drake
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
Executive Vice President and Chief Operating Officer Nava
Senior Vice President and Chief Compliance Officer Bustamante
Vice President Maldonado
Vice President and Vice Provost Gullatt
Vice Provosts/Vice Chancellors for Academic Affairs/Personnel
Assistant Vice Provosts/Vice Chancellors/Directors - Academic Personnel
Chief Human Resources Officers
Academic Council Vice Chair Cochran
Associate Vice Provost Lee
Deputy General Counsel Woodall
Executive Director Baxter
Executive Director Silas
Chief of Staff and Executive Director Henderson
Chief of Staff Kao
Chief of Staff Levintov
Chief of Staff Peterson
Chief Policy Advisor McAuliffe
Principal Counsel Kim
Director Grant
Director Roller
Director Sykes
Associate Director DiCaprio
Associate Director Fishel
Associate Director Nguyen
Associate Director Woolston
Assistant Director LaBriola
Manager Carr
Manager Donnelly
HR Manager Crosson
Policy Specialist Zundel
Analyst Durrin
Policy Advisory Committee

Supplement to Military Pay

Academic Officer:	Vice Provost – Academic Personnel and Programs
Academic Office:	APP – Academic Personnel and Programs
Staff Officer:	Vice President – Human Resources
Staff Office:	HR – Human Resources
Issuance Date:	TBD 2022
Effective Date:	TBD 2022
Last Review Date:	May 11, 2018
Scope:	This policy applies to all University academic and staff employees, including Lawrence Berkeley National Laboratory employees.

	Academic	Staff
Contact	Kimberly Grant (APP)	Melanie Carr (HR)
Email:	Kimberly.Grant@ucop.edu	Melanie.Carr@ucop.edu
Phone:	(510) 987-9499	(510) 987-0360

TABLE OF CONTENTS

I.	POLICY SUMMARY	2
II.	DEFINITIONS	2
III.	POLICY TEXT.....	2
IV.	COMPLIANCE / RESPONSIBILITIES	6
V.	PROCEDURES.....	7
VI.	RELATED INFORMATION	10
VII.	FREQUENTLY ASKED QUESTIONS	11
VIII.	REVISION HISTORY	12

I. POLICY SUMMARY

This policy describes the salary supplement that is provided to those University academic and staff personnel serving on active military duty in support of an ongoing overseas military mobilization campaign.

II. DEFINITIONS

Detailed information about common terms used within Personnel Policies for Staff Members can be found in [Personnel Policies for Staff Members 2 \(Definition of Terms\)](#).

Detailed information about common terms used within the Academic Personnel Manual (APM) can be found in [Academic Personnel Definitions \(APM-110\)](#).

Supplement to Military Pay: Compensation paid to a University employee who has been called to active military duty in support of an ongoing military mobilization campaign. The Supplement to Military Pay is the difference between an employee's University pay and active military duty pay.

III. POLICY TEXT

A. Eligibility

All employees who, as members of the National Guard, the Armed Forces, the commissioned corps of the Public Health Service, or any other category designated by the President, are serving on active military duty in support of an ongoing overseas military mobilization campaign are eligible for supplements to their military pay.

For purposes of this policy, "employee" is meant to include individuals who hold an academic, career, limited, floater, casual-restricted, contract, or per diem appointment, regardless of the percentage of time worked.

B. Components of an Employee's Supplement to Military Pay

An employee's Supplement to Military Pay will depend on the components of the employee's current University compensation as discussed below.

- 1. Health Sciences Compensation Plan:** The University pay of employees compensated under the [Health Sciences Compensation Plan](#) is both the base salary and the negotiated compensation (exclusive of incentive payments) in effect and paid through the University payroll when military leave commences, plus faculty recruitment allowance, if applicable.
- 2. Staff Physicians and Dentists Compensation Plan:** The University pay of employees compensated under the Staff Physicians and Dentists Compensation Plan is both the base salary and non-base salary (exclusive of incentive payments) in effect and paid through the University payroll when military leave commences.

3. All Other Employees:

- a) **Eligible Earnings:** The University pay of all other employees is the employee's regular base pay rate plus any of the following eligible earnings:
- shift differentials;
 - clinical nurse differentials;
 - non-base building pay for nurses;
 - police specialty pay;
 - stipends (department chair, etc.); and
 - faculty recruitment allowance.
- c) **Ineligible Earnings:** Ineligible earnings include the following:
- overtime;
 - uniform allowances;
 - UNEX BYA;
 - summer session salaries;
 - on-call pay;
 - honoraria;
 - incentive and performance awards;
 - non-elective deferred compensation
 - consulting fees;
 - pay for a position that is not normally full-time, except if paid on a salary or hourly rate basis;
 - housing allowance;
 - additional academic compensation, including summer and UNEX compensation; and
 - terminal vacation pay.
- d) **Range Adjustments, Merit Increases, and Promotion Increases:** The base pay rate will be adjusted for range adjustments, merit increases, and promotion increases that would have been granted had the employee not been ordered to active military duty.
- e) **Variable-Time Appointments:**
- **Staff:** The base pay rate of an employee with a variable-time appointment will be adjusted for the average hours on pay status during the three months prior to commencement of military leave, exclusive of hours attributed to overtime.
 - **Academic Appointees:** For academic appointees who report time on a variable basis, eligible earnings are an average of the appointee's eligible earnings for the three calendar months (for an appointee paid on a monthly basis) or six pay periods (for an appointee paid on a bi-weekly basis) immediately prior to the period in which the military leave

begins, excluding periods with approved leave without pay. If the consecutive three months or six bi-weekly pay periods immediately preceding the beginning of the military leave cannot be used due to approved leave without pay, the look-back period may be extended up to, but no longer than, one year prior to the beginning of the leave, using the most recent applicable pay periods not to exceed the term of the appointment.

- f) ***Irregular-Shift Assignments:*** The shift differential component of the gross University pay of employees who are not assigned to the same shift on a regular basis will be calculated by taking an average of the shift differentials paid over the three months prior to commencement of military leave.

C. Duration

Supplement to Military Pay, as defined in this policy, will begin on the first day of unpaid military leave. The Supplement to Military Pay will extend for a period not to exceed the employee's tour of active duty, or until the separation date of an employee's University appointment, whichever comes first.

A University employee who has a separation date due to budgetary restrictions or an appointment end date may be reappointed in accordance with University policy and procedures. If such a reappointment occurs during the employee's active military duty, the employee's Supplement to Military Pay will continue into the subsequent appointment until the end of the active duty.

Benefits provided under the policy are subject to a two-year lifetime limit, retroactive to December 14, 2001 (the policy's original start date).

D. Benefits

1. Health and Welfare Benefits

An employee receiving a Supplement to Military Pay will be considered to be on pay status. To determine the circumstances in which employees can continue health and welfare benefits while receiving a Supplement to Military Pay, please refer to the Group Insurance Regulations (GIR) under Military Leave for further information.

If an employee is enrolled in TRICARE military medical coverage during the employee's tour of active military duty and the employee continues coverage in a UC medical plan, TRICARE becomes the primary insurer with regard to the employee's medical coverage, while eligible family members' primary coverage will continue to be through the University plan.

Active military duty is considered employment, and some UC-sponsored health and welfare benefits exclude coverage of employment-related injuries or illnesses. In addition, some plans have coverage exclusions for injuries or

illnesses that occur due to combat or acts of war. See the applicable Plan Documents for more detail.

If an employee is separated from University employment while on a tour of active military duty, the employee's coverage will cease at the end of the month in which the separation occurs. An employee may opt to continue health and welfare benefits through COBRA, conversion, or porting, as applicable. Please refer to the GIRs for detail.

An employee not eligible for the Supplement to Military Pay, because their military pay exceeds their University pay, may elect to use accrued vacation, PTO and/or compensatory time off (CTO), in order for the University to continue to pay the University's contribution to their health plan premiums through the employee's tour of active duty, or until the separation date of an employee's University appointment, whichever comes first. Benefits provided under the policy are subject to a two-year limit, retroactive to December 14, 2001.

2. Retirement Benefits

Any applicable University and employee contributions to the University of California Retirement System plans, including the [University of California Retirement Plan \(UCRP\)](#), the [Defined Contribution Plan \(DC Plan\)](#), the [Tax-Deferred Plan \(403\(b\) Plan\)](#), and the [457\(b\) Deferred Compensation Plan \(457\(b\) Plan\)](#) will continue for eligible employees in accordance with the plan provisions while a paycheck is received and will stop with the employee's last paycheck. Employee contributions during the military leave will be based on the Supplement to Military Pay amount and any employee elections as applicable.

An employee on military leave may suspend 403(b) Plan loan repayments for the period of military leave as provided under the [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) and the 403(b) Plan provisions.

Retirement service credit (UCRP and Savings Choice service credit) will be earned in accordance with the [University of California Retirement Plan \(UCRP\)](#) and DC Plan provisions for the period of military service and for a period following military service, provided that the employee returns to University employment following the leave or notifies the University in writing of the employee's intent to return to work in accordance with any applicable reemployment rights.

If the employee returns to University employment, the employee may be eligible to make up contributions to the DC Plan, the 403(b) Plan, and/or the 457(b) Deferred Compensation Plan that were missed due to the period of military leave, in accordance with USERRA and applicable plan provisions.

E. Special Situations

1. **Leaves With and Without Pay:** Employees who received orders to report for active military duty while on an approved leave, with or without pay (e.g., sabbatical, personal, or research leave), will, for the purpose of calculating the Supplement to Military Pay, be returned to their regular status.
2. **Temporary Reductions in Time:** Employees who received orders to report for active military duty while on a temporary reduction in time will, for the purpose of calculating the Supplement to Military Pay payments, be returned to their regular status at the expiration date of such temporary reduction in time. The employee's department or applicable unit will be responsible for adjusting the Supplement to Military Pay payments at such expiration date.
3. **Temporary Layoffs:** Employees who received orders to report to active military duty while on a temporary layoff will, for the purpose of calculating the Supplement to Military Pay payments, be returned to their regular status at the expiration date of the temporary layoff. The employee's department or applicable unit will be responsible for submitting the documentation required to initiate the Supplement to Military Pay payments at such expiration date. The Supplement to Military Pay payments should begin at the expiration date of the temporary layoff.
4. **Indefinite Layoffs:** Employees who received orders to report to active military duty while on an indefinite layoff are not eligible for Supplement to Military Pay payments.
5. **Partial Year Career Employees:** Military pay will not be supplemented during the months when employees are on furlough unless such employees have elected to spread their paychecks over 12 months. Periods of time spent on unpaid furlough will not be included in the calculation of the Supplement to Military Pay payments.

The employee's department or applicable unit will be responsible for terminating the Supplement to Military Pay payments when such employee would normally go on unpaid furlough and for reinstating the Supplement to Military Pay payments when such employee would normally return to pay status.

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy

Executive Officers (the University President, Chancellors, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) and their designees will develop procedures and supplementary information to support implementation of this policy. Responsible Officers (Vice Provost – Academic Personnel and Programs and Vice President – Systemwide

Human Resources) may interpret and clarify the policy. All substantive policy changes are made through the standard process for Presidential policy.

Exceptions to local procedures required by the policy must be approved by the Executive Officer or designee.

B. Revisions to the Policy

The President approves this policy and any revisions upon recommendation by the Responsible Officers. The Vice Provost – Academic Personnel and Programs and the Vice President – Systemwide Human Resources have the authority to initiate revisions to the policy, consistent with approval authorities and applicable Bylaws and Standing Orders of the Regents.

The UC Provost and Executive Vice President for Academic Affairs and the Executive Vice President – Chief Operating Officer have the authority to ensure that the policy is regularly reviewed, updated, and consistent with other governance policies.

C. Approval of Actions

Actions within this policy must be approved according to local procedures. Actions related to Senior Management Group employees must be approved by the President.

D. Compliance with the Policy

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting policy compliance. The Senior Vice President and Chief Compliance and Audit Officer will periodically audit and monitor compliance with the policy.

E. Noncompliance with the Policy

Noncompliance with this policy may result in remediation, educational efforts, and/or employment consequences up to and including informal counseling, adverse performance evaluations, corrective action/discipline, and termination.

For policy-covered staff employees, corrective action/discipline is governed by Personnel Policies for Staff Members [62 \(Corrective Action\)](#), [63 \(Investigatory Leave\)](#), and [64 \(Termination and Job Abandonment\)](#); [Personnel Policies for Staff Members-II 64 \(Termination of Appointment\)](#), which applies to Senior Management Group (SMG) employees; and as applicable, other policies and procedures.

For academic personnel, formal corrective action/discipline is governed by [APM - 015 \(The Faculty Code of Conduct\)](#); [APM - 016 \(University Policy on Faculty Conduct and the Administration of Discipline\)](#); [APM - 150 \(Non-Senate Academic Appointees/Corrective Action and Dismissal\)](#) and as applicable, other policies and procedures.

For represented employees, formal corrective action/discipline is governed by collective bargaining agreements, and as applicable, other policies and procedures.

V. PROCEDURES

The steps an employee must take to initiate the Supplement to Military Pay are explained below. Employees should contact their local Academic Personnel or Human Resources Office for additional information. At some locations, the responsibilities of the employee's department may be handled by a central unit.

A. Documentation Required to Initiate Supplement to Military Pay Payments

1. **Supplement to Military Pay Worksheet:** The employee's department and the employee, or the person who holds the power of attorney on behalf of the employee, are responsible for completing the [Supplement to Military Pay Worksheet](#). The purpose of the worksheet is to calculate the gross Supplement to Military Pay and to obtain acknowledgement from the employee that any overpayments will be returned to the University.
2. **Leave of Absence Request:** Military leaves of absence and supplements to military pay should be requested in accordance with the local procedure pertaining to leave of absence requests.
3. **Leave and Earnings Statement:** The employee, or the person who holds the power of attorney on behalf of the employee, will be responsible for documenting/estimating the military pay. If available, a Leave and Earnings Statement (LES) will be used to determine the gross monthly military pay. If an LES is not available, the gross military pay may be estimated.
4. **Power of Attorney:** If an employee has designated a power of attorney, documentation of such power of attorney will be submitted along with the completed worksheet.
5. **Cancelling Coverage for All Health & Welfare Benefits:** Employees may enroll in, change, cancel or opt out of health and welfare benefits through UCPATH.
6. **Payroll Earnings Distribution Authorization:** Employees may change their disposition of pay through UCPATH.

B. Initiating the Supplement to Military Pay

1. **If the Employee Has Not Yet Reported To Active Military Duty:** The employee's department and the employee (or the person who holds the power of attorney on behalf of the employee) are responsible for providing and/or completing the relevant forms.
2. **If the Employee Has Reported To Active Military Duty and Not Returned:** The employee's department will attempt to contact and inform the employee on military leave (or the person who holds the power of attorney on behalf of the

employee) of the Supplement to Military Pay and the procedures required to initiate the Supplement to Military Pay payments.

The Supplement to Military Pay payments will not be issued without the signature of the employee, or the person who holds the power of attorney on behalf of the employee, on the [Supplement to Military Pay Worksheet](#). If a department is unable to obtain a completed worksheet and LES from an employee, or the person who holds the power of attorney on behalf of the employee, the Supplement to Military Pay payment will be calculated and issued upon the employee's return to work.

3. **If the Employee Has Returned From Active Military Duty:** The employee will submit copies of all LES covering the period of time in which the employee was eligible for Supplement to Military Pay payments. The employee's department will be responsible for calculating the total gross Supplement to Military Pay payment and submitting the required paperwork in accordance with established location procedures.

C. Issuing Payments

1. **Retroactive Payments:** The employee's department will be responsible for submitting all retroactive paperwork. If an employee is eligible for future Supplement to Military Pay payments, the department will complete the relevant equivalent document(s) based upon the most recent worksheet and LES obtained from the employee, or the person who holds the power of attorney on behalf of the employee.
2. **Pro-Rated Payments:** The employee's department will be responsible for pro-rating Supplement to Military Pay payments that do not cover a full pay period for employees covered by positive time reporting.
3. **Extensions and Multiple Military Leaves:** The employee's department will be responsible for ensuring that Supplement to Military Pay payments for employees with extensions of their original orders or with multiple military leaves are consistent with these guidelines.
4. **Deductions:**
 - a) **Mandatory Deductions:** Supplemental payments will be subject to Federal income tax, State income tax, OASDI, and Medicare. Garnishments/Earnings Withholding Orders for Support, if applicable, will be withheld as well as any mandatory retirement plan contributions.
 - b) **Voluntary Deductions:** Voluntary deductions will continue to be withheld unless cancelled by submittal of the appropriate cancellation forms.
 - c) **Employer Contributions:** Departments are responsible for University contributions.
5. **Issuance:** Supplement to Military Pay payments will be issued during the military leave as part of the normal payroll cycle for each affected employee,

except for retroactive payments. The Supplement to Military Pay will be distributed to the disposition selected by the employee.

6. **Terminating Supplement to Military Pay Payments:** The employee's department will be responsible for ensuring that, upon expiration of the Supplement to Military Pay payments, the employee's status is correctly reflected on the relevant document(s).

D. Reconciliation

1. **Reinstatement:** When an employee returns to work from active military duty, the employee will submit an LES for each month for which the Supplement to Military Pay was earned or received. The employee's department will be responsible for reconciling actual Supplement to Military Pay payments with all LES. Any overpayments or underpayments will be adjusted in accordance with established location payroll procedures.
2. **Benefits:** Employees returning from military leave have a 31-day period of initial eligibility to reenroll in coverages which lapsed or were cancelled during the extended military leave. The period begins with the date of return to pay status.
3. **Retirement Service Credit:** Covered compensation and retirement service credit (UCRP and Savings Choice credit) earned during an extended military leave will be manually adjusted when the employee returns to pay status by submitting a copy of the Leave of Absence History or equivalent and copies of the employee's military orders to the Retirement Administration Service Center.
4. **University Contributions:** University contributions to the Retirement Savings Program that would have been earned during an extended military leave will be manually adjusted upon notice of the employee's return to pay status.
5. **Employees Who Do Not Return to University Service:** Employees who elect to terminate their University appointment will be responsible for contacting their former departments to initiate reconciliation between their estimated and actual military earnings. Employees who have been underpaid will receive the balance due. Overpayments will be repaid to the University.

Overpayments will be forgiven if an employee is killed or is disabled to the extent that such employee cannot return to University employment.

VI. RELATED INFORMATION

- [Consolidated Omnibus Budget Reconciliation Act of 1985 \(COBRA\)](#)
- [Legal Plan Insurance](#)
- [Supplemental Life Insurance](#)
- [Homeowner/Rental/Auto Insurance](#)

- [Basic Disability, Voluntary Short-Term Disability Insurance, and Voluntary Long-Term Disability Insurance](#)
- [Health Flexible Spending Account \(Health FSA\)](#)
- [Dependent Care Flexible Spending Account \(DepCare FSA\)](#)
- [Accidental Death & Dismemberment \(AD&D\)](#)
- [Defined Contribution Plan \(DC Plan\)](#)
- [457\(b\) Deferred Compensation Plan](#)
- [Tax-Deferred 403\(b\) Plan](#)
- [The Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#)
- [University of California HR Forms and Publications](#)
- [University of California Retirement System \(UCRS\)](#)
- [University of California Retirement Plan \(UCRP\)](#)
- [Supplement to Military Pay Worksheet](#)
- [Health Benefits Enrollment Form for Newly Eligible Employees \(FR.008\) \(UCPath\)](#)
- [Health Benefits Enrollment Form for Life Events \(FR.065\) \(UCPath\)](#)
- Personnel Policies for Staff Members [62](#), [63](#) and [64, II-64](#)
- [The Faculty Code of Conduct \(APM - 015\)](#)
- [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#)
- [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM - 150\)](#)
- [Health Sciences Compensation Plan \(APM - 670\)](#)
- [Benefits and Privileges: Leaves of Absence/Military Leave \(APM - 751\)](#)

VII. FREQUENTLY ASKED QUESTIONS

General

1. ***What is the definition of military pay for purposes of this policy?***
Military pay is all compensation received by the employee from the military, including allowances.
2. ***How is the Supplement to Military Pay funded for purposes of this policy?***
Each location will determine the source of funds for the Supplement to Military Pay. University general funds, unrestricted gift funds, medical school compensation plan funds, and other funds identified by the campus may be used. Extramural contract

and grant funds may be used to the extent such funds were used to pay the employee immediately prior to the call to active military duty.

3. *If an employee separates from University employment during their tour of active military duty, what other types of coverage can the employee continue?*

An employee may opt to continue medical, dental, vision, and Health FSA coverage under COBRA's continuation provisions.

Alternatively, for medical coverage only, an employee may apply — within 31 days after group coverage ends — for conversion to an individual policy. An employee may also apply to the insurance carrier directly for individual coverage. The Affordable Care Act's Health Insurance Marketplace may also provide options.

The employee should contact the local benefits office for assistance with the details.

VIII. REVISION HISTORY

Policy update as of **June X, 2022**:

- Removed all references to 4-year review provision.
- Additions/update of existing Policy language including scope, definitions, benefits terminology, compliance/responsibility and procedures.
- Updated links, gender neutral language throughout policy.

Policy update as of **July 1, 2018**:

- Replaced reference to former campaign name with more general term.
- Additions/update of existing Policy language including definitions, compensation, duration and procedures.
- Clarification of existing benefits language.

August 23, 2017: This Policy was remediated to meet Web Content Accessibility Guidelines (WCAG) 2.0 and updated the contact info for Academic Personnel.

July 1, 2014 Policy changes:

- Academic Personnel and Human Resources both reflected as the Responsible Offices for this Policy.
- "War on Terror Campaign" updated to "Overseas Contingency Campaign (formerly the War on Terror campaign) or any successor military mobilization campaign."
- Dep Care FSA language clarified and Health FSA language added.

As a result of the issuance of this Policy, the following document is rescinded as of the effective date of this Policy and is no longer applicable:

- Supplement to Military Pay Policy, dated July 1, 2014

- Supplement to Military Pay Policy, dated July 1, 2012

July 1, 2012: This Policy was reformatted into the standard University of California policy template

DRAFT



Supplement to Military Pay

Academic Officer:	Vice Provost – Academic Personnel and Programs
Academic Office:	APP – Academic Personnel and Programs
Staff Officer:	Vice President – Human Resources
Staff Office:	HR – Human Resources
Issuance Date:	July 1, 2018 <u>TBD 2022</u>
Effective Date:	<u>TBD 2022</u> July 1, 2018
Last Review Date:	May 11, 2018
Scope:	This policy applies to all University academic and staff employees, <u>including Lawrence Berkeley National Laboratory employees.</u>

	Academic	Staff
Contact	Kimberly Grant (APP)	Melanie Carr (HR)
Email:	Kimberly.Grant@ucop.edu	Melanie.Carr@ucop.edu
Phone:	(510) 987-9499	(510) 987-0360

TABLE OF CONTENTS

I. POLICY SUMMARY	1
II. DEFINITIONS	2
III. POLICY TEXT	2
IV. COMPLIANCE / RESPONSIBILITIES	8
V. PROCEDURES	10
VI. RELATED INFORMATION	14
VII. FREQUENTLY ASKED QUESTIONS	15
VIII. REVISION HISTORY	15

I. POLICY SUMMARY

This policy describes the salary supplement that is provided to those University academic and staff personnel serving on active military duty in support of an ongoing

overseas military mobilization campaign. ~~This policy is effective July 1, 2018 through June 30, 2022.~~

II. DEFINITIONS

Detailed information about common terms used within Personnel Policies for Staff Members can be found in [Personnel Policies for Staff Members 2 \(Definition of Terms\)](#).

Detailed information about common terms used within the Academic Personnel Manual (APM) can be found in [Academic Personnel Definitions \(APM-110\)](#).

Supplement to Military Pay: Compensation paid to a University employee who has been called to active military duty in support of an ongoing military mobilization campaign. The Supplement to Military Pay is the difference between an employee's University pay and active military duty pay.

III. POLICY TEXT

A. Eligibility

All employees who, as members of the National Guard, the Armed Forces, the commissioned corps of the Public Health Service, or any other category designated by the President, are serving on active military duty in support of an ongoing overseas military mobilization campaign are eligible for supplements to their military pay.

For purposes of this policy, "employee" is meant to include individuals who hold an academic, career, limited, floater, casual-restricted, contract, or per diem appointment, regardless of the percentage of time worked.

B. Components of an Employee's Supplement to Military Pay

An employee's Supplement to Military Pay will depend on the components of the employee's current University compensation as discussed below.

- 1. Health Sciences Compensation Plan:** The University pay of employees compensated under the [Health Sciences Compensation Plan](#) is both the base salary and the negotiated compensation (exclusive of incentive payments) in effect and paid through the University payroll when military leave commences, plus faculty recruitment allowance, if applicable.
- 2. Staff Physicians and Dentists Compensation Plan:** The University pay of employees compensated under the Staff Physicians and Dentists Compensation Plan is both the base salary and non-base salary (exclusive of incentive payments) in effect and paid through the University payroll when military leave commences.
- 3. All Other Employees:**

- a) **Eligible Earnings:** The University pay of all other employees is the employee's regular base pay rate plus any of the following eligible earnings:
- shift differentials;
 - clinical nurse differentials;
 - non-base building pay for nurses;
 - police specialty pay;
 - stipends (department chair, etc.); and
 - faculty recruitment allowance.
- c) **Ineligible Earnings:** Ineligible earnings include the following:
- overtime;
 - uniform allowances;
 - UNEX BYA;
 - summer session salaries;
 - on-call pay;
 - honoraria;
 - incentive and performance awards;
 - non-elective deferred compensation
 - consulting fees;
 - pay for a position that is not normally full-time, except if paid on a salary or hourly rate basis;
 - housing allowance;
 - additional academic compensation, including summer and UNEX compensation; and
 - terminal vacation pay.
- d) **Range Adjustments, Merit Increases, and Promotion Increases:** The base pay rate will be adjusted for range adjustments, merit increases, and promotion increases that would have been granted had the employee not been ordered to active military duty.
- e) **Variable-Time Appointments:**
- **Staff:** The base pay rate of an employee with a variable-time appointment will be adjusted for the average hours on pay status during the three months prior to commencement of military leave, exclusive of hours attributed to overtime.
 - **Academic Appointees:** For academic appointees who report time on a variable basis, eligible earnings are an average of the appointee's eligible earnings for the three calendar months (for an appointee paid on a monthly basis) or six pay periods (for an appointee paid on a bi-weekly basis) immediately prior to the period in which the military leave begins, excluding periods with approved leave without pay. If the consecutive three months or six bi-weekly pay periods immediately

preceding the beginning of the military leave cannot be used due to approved leave without pay, the look-back period may be extended up to, but no longer than, one year prior to the beginning of the leave, using the most recent applicable pay periods not to exceed the term of the appointment.

- f) ***Irregular-Shift Assignments:*** The shift differential component of the gross University pay of employees who are not assigned to the same shift on a regular basis will be calculated by taking an average of the shift differentials paid over the three months prior to commencement of military leave.

C. Duration

Supplement to Military Pay, as defined in this policy, will begin on the first day of unpaid military leave. The Supplement to Military Pay will extend for a period not to exceed the employee's tour of active duty, ~~until June 30, 2022,~~ or until the separation date of an employee's University appointment, whichever comes first.

A University employee who has a separation date due to budgetary restrictions or an appointment end date may be reappointed in accordance with University policy and procedures. If such a reappointment occurs during the employee's active military duty, the employee's Supplement to Military Pay will continue into the subsequent appointment until the end of the active duty, ~~or until June 30, 2022, whichever comes first.~~

Benefits provided under the policy are subject to a two-year lifetime limit, retroactive to December 14, 2001 (the policy's original start date).

D. Benefits

1. Health and Welfare Benefits

An employee receiving a Supplement to Military Pay will be considered to be on pay status. To determine the circumstances in which employees can continue health and welfare benefits while receiving a Supplement to Military Pay, please refer to the Group Insurance Regulations (GIR) under Military Leave for further information.

~~An employee who is on pay status may continue coverage under the following plans during the employee's tour of active military duty for up to two years:~~

- Medical Plans
- Dental Plans
- Vision Plan
- Life Insurance Plans
- Accidental Death & Dismemberment Plans (AD&D)
- Legal Plans

~~If an employee is enrolled in TRICARE military medical coverage during the employee's tour of active military duty and the employee continues coverage in a UC medical plan, TRICARE becomes the primary insurer with regard to the employee's medical coverage while eligible family members' primary coverage will continue to be through the University plan.~~

~~Coverage for Basic Disability, Voluntary Short Term Disability Insurance, and Voluntary Long Term Disability Insurance will terminate on the last day the employee is actively at work at the University even if the employee is on pay status during a tour of active military duty.~~

~~For plans where there is a University contribution, the University contribution for an employee who is on pay status will continue during the employee's tour of active military duty for up to two years. Thereafter, the employee (and eligible family members, if any) may continue medical, dental, vision, and Health Flexible Spending Account (Health FSA) coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) continuation provisions, provided that the employee pays the entire coverage cost and administrative fee. The employee may also have coverage options through the military. The employee may continue coverage for medical, life insurance, AD&D, and legal under the respective plans conversion or porting provisions.~~

~~An employee who is on pay status may continue participation in Dependent Care Flexible Spending Account (DepCare FSA) during the employee's tour of active military duty for up to two years. Contributions stop when the Supplement to Military Pay payments end and the employee is no longer on pay status. Eligible expenses incurred through the end of the pay period in which the employee made the last contribution are eligible for reimbursement. Claims must be filed by the filing deadline of the following year or funds left in the account will be forfeited.~~

~~An employee who is on pay status may continue participation in Health FSA during the employee's tour of military active duty for up to two years. Contributions will stop when the employee is no longer on pay status. Unless the employee continues participation under COBRA, only eligible expenses incurred through the end of the pay period in which the employee made the last contribution are eligible for reimbursement. Claims must be filed by the filing deadline of the following year or funds left in the account will be forfeited.~~

~~An employee may continue automobile and homeowner/rental insurance during the employee's tour of active military duty.~~

~~If an employee is enrolled in TRICARE military medical coverage during the employee's tour of active military duty and the employee continues coverage in a UC medical plan, TRICARE becomes the primary insurer with regard to the employee's medical coverage, while eligible family members' primary coverage will continue to be through the University plan.~~

Active military duty is considered employment, and some UC-sponsored health and welfare benefits exclude coverage of employment-related injuries or illnesses. In addition, some plans have coverage exclusions for injuries or illnesses that occur due to combat or acts of war. See the applicable Plan Documents for more detail.

If an employee is separated from University employment while on a tour of active military duty, the employee's coverage will cease at the end of the month in which the separation occurs. An employee may opt to ~~continue~~ continue health and welfare benefits through COBRA, conversion, or porting, as applicable. Please refer to the GIRs for detail. medical, dental, vision, and Health FSA coverage under COBRA's continuation provisions.

~~Most UC-sponsored plans have exclusions that apply to employees on active military duty. Contact your local benefits office for additional information or see applicable Plan Documents for more detail.~~

An employee not eligible for the Supplement to Military Pay, because their military pay exceeds their University pay, may elect to use accrued vacation, PTO and/or compensatory time off (CTO), in order for the University to continue to pay the University's contribution to their health plan premiums through the employee's tour of active duty, or until the separation date of an employee's University appointment, whichever comes first. Benefits provided under the policy are subject to a two-year limit, retroactive to December 14, 2001.

2. Retirement Benefits

Any applicable University and employee contributions to the University of California Retirement System plans, including the [University of California Retirement Plan \(UCRP\)](#), the [Defined Contribution Plan \(DC Plan\)](#), ~~the~~ [Tax-Deferred Plan \(403\(b\) Plan\)](#), and the [457\(b\) Deferred Compensation Plan \(457\(b\) Plan\)](#) will continue for eligible employees in accordance with the plan provisions while a paycheck is received and will stop with the employee's last paycheck. Employee contributions during the military leave will be based on the Supplement to Military Pay amount and any employee elections as applicable.

An employee on military leave may suspend 403(b) Plan loan repayments for the period of military leave as provided under the [Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#) and the 403(b) Plan provisions.

Retirement service credit (~~UCRP and Savings Choice service credit~~) will be earned in accordance with the [University of California Retirement Plan \(UCRP\) and DC Plan](#) provisions for the period of military service and for a period following military service, provided that the employee returns to University

employment following the leave or notifies the University in writing of ~~his or her~~ **the employee's** intent to return to work in accordance with any applicable reemployment rights ~~and UCRP provisions.~~

~~For those employees who elect to continue their University coverage but are ineligible for the Supplement to Military Pay because their military pay exceeds their University pay, the University will continue to pay the UC contribution to their health plan premiums through the employee's tour of active duty, until June 30, 2022, or until the separation date of an employee's University appointment, whichever comes first. Benefits provided under the policy are subject to a two-year limit, retroactive to December 14, 2001.~~

If the employee returns to University employment, the employee may be eligible to make up contributions to the DC Plan, the 403(b) Plan, and/or the 457(b) Deferred Compensation Plan that were missed due to the period of military leave, in accordance with USERRA and applicable plan provisions.

E. Special Situations

- 1. Leaves With and Without Pay:** Employees who received orders to report for active military duty while on an approved leave, with or without pay (e.g., sabbatical, personal, or research leave), will, for the purpose of calculating the Supplement to Military Pay, be returned to their regular status.
- 2. Temporary Reductions in Time:** Employees who received orders to report for active military duty while on a temporary reduction in time will, for the purpose of calculating the Supplement to Military Pay payments, be returned to their regular status at the expiration date of such temporary reduction in time. The employee's department or applicable unit will be responsible for adjusting the Supplement to Military Pay payments at such expiration date.
- 3. Temporary Layoffs:** Employees who received orders to report to active military duty while on a temporary layoff will, for the purpose of calculating the Supplement to Military Pay payments, be returned to their regular status at the expiration date of the temporary layoff. The employee's department or applicable unit will be responsible for submitting the documentation required to initiate the Supplement to Military Pay payments at such expiration date. The Supplement to Military Pay payments should begin at the expiration date of the temporary layoff.
- 4. Indefinite Layoffs:** Employees who received orders to report to active military duty while on an indefinite layoff are not eligible for Supplement to Military Pay payments.
- 5. Partial Year Career Employees:** Military pay will not be supplemented during the months when employees are on furlough unless such employees have elected to spread their paychecks over 12 months. Periods of time spent on unpaid furlough will not be included in the calculation of the Supplement to Military Pay payments.

The employee's department or applicable unit will be responsible for terminating the Supplement to Military Pay payments when such employee would normally go on unpaid furlough and for reinstating the Supplement to Military Pay payments when such employee would normally return to pay status.

IV. COMPLIANCE / RESPONSIBILITIES

A. Implementation of the Policy

Executive Officers (the University President, Chancellors, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) and their designees will develop procedures and supplementary information to support implementation of this policy. Responsible Officers (Vice Provost – Academic Personnel and Programs and Vice President – Systemwide Human Resources) may interpret and clarify the policy. All substantive policy changes are made through the standard process for Presidential policy.

Exceptions to local procedures required by the policy must be approved by the Executive Officer or designee.

B. Revisions to the Policy

The President approves this policy and any revisions upon recommendation by the Responsible Officers. Vice Provost – Academic Personnel and Programs and Vice President – Systemwide Human Resources have the authority to initiate revisions to the policy, consistent with approval authorities and applicable Bylaws and Standing Orders of the Regents.

The UC Provost and Executive Vice President for Academic Affairs and the Executive Vice President – Chief Operating Officer have the authority to ensure that the policy is regularly reviewed, updated, and consistent with other governance policies.

C. Approval of Actions

Actions within this policy must be approved according to local procedures. Actions related to Senior Management Group employees must be approved by the President.

D. Compliance with the Policy

The Executive Officer at each location will designate the local management office that is responsible for monitoring, enforcing, and reporting policy compliance. The Senior Vice President and Chief Compliance and Audit Officer will periodically audit and monitor compliance with the policy.

E. Noncompliance with the Policy

Noncompliance with this policy may result in remediation, educational efforts, and/or employment consequences up to and including informal counseling, adverse performance evaluations, corrective action/discipline, and termination.

For policy-covered staff employees, corrective action/discipline is governed by Personnel Policies for Staff Members 62 (Corrective Action), 63 (Investigatory Leave), and 64 (Termination and Job Abandonment); Personnel Policies for Staff Members-II 64 (Termination of Appointment), which applies to Senior Management Group (SMG) employees; and as applicable, other policies and procedures.

For academic personnel, formal corrective action/discipline is governed by APM - 015 (The Faculty Code of Conduct); APM - 016 (University Policy on Faculty Conduct and the Administration of Discipline); APM - 150 (Non-Senate Academic Appointees/Corrective Action and Dismissal) and as applicable, other policies and procedures.

For represented employees, formal corrective action/discipline is governed by collective bargaining agreements, and as applicable, other policies and procedures.

A.—Implementation of the Policy

~~Responsible Officers (Vice Provost—Academic Personnel and Programs and Vice President—Systemwide Human Resources) have the authority to develop procedures or other supplementary information to support the implementation of this policy. Responsible Officers may apply appropriate and consistent interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.~~

~~The Executive Officer (the University President, Chancellor, Lawrence Berkeley National Laboratory Director, or Vice President of Agriculture and Natural Resources) at each location is authorized to establish and is responsible for local procedures to implement the policy. Local procedures must be consistent with the policy. Exceptions to procedures required by this policy must be approved by the Executive Officer.~~

A.—Revisions to the Policy

~~The President is the Policy Approver and has the authority to approve this policy and any revisions upon recommendation by the Responsible Officers.~~

~~The Responsible Officers have the authority to initiate revisions to the policy, consistent with approval authorities and applicable Bylaws and Standing Orders, and Policies of the Regents.~~

~~The UC Provost and Executive Vice President for Academic Affairs and the Executive Vice President and Chief Operating Officer have the authority to ensure that policies are this policy is regularly reviewed, and updated in a manner that is consistent with other University policies.~~

B.—Approval of Actions

~~Actions within this policy must be approved in accordance with local procedures. Executive Officers and Responsible Officers are authorized to determine responsibilities~~

~~and authorities at secondary administrative levels in order to establish local procedures necessary to implement this policy.~~

~~All actions that exceed this policy, or that are not expressly provided for under any policy, must be approved by the Responsible Officers.~~

~~C. Compliance with the Policy~~

~~Noncompliance with the Policy is managed in accordance with the following:~~

- ~~1. For employees covered by *Personnel Policies for Staff Members (PPSM)* 62, 63 and 64, pertaining to disciplinary and separation matters, and in accordance with other University policies;~~
- ~~2. For academic appointees covered by the *Academic Personnel Manual (APM)*; The Faculty Code of Conduct (APM – 015) and University Policy on Faculty Conduct and the Administration of Discipline (APM – 016); or Non-Senate Academic Appointees/Corrective Action and Dismissal (APM – 150); or~~
- ~~3. For employees covered by a collective bargaining agreement, the applicable collective bargaining agreement.~~

~~The Executive Officer at each location will designate the local management office responsible for monitoring, enforcing, and reporting compliance mechanisms.~~

~~The Senior Vice President–Chief Compliance and Audit Officer will periodically audit and monitor compliance with the Policy.~~

V. PROCEDURES

The steps an employee must take to initiate the Supplement to Military Pay are explained below. ~~The procedures below reflect how locations that have not yet migrated to UCPath will process an employee's request for a Supplement to Military Pay. For locations that have already migrated to UCPath, procedures may differ; Employees should contact their~~ the local Academic Personnel or Human Resources Office ~~may be consulted~~ for additional information. At some locations, the responsibilities of the employee's department may be handled by a central unit.

A. Documentation Required to Initiate Supplement to Military Pay Payments

- 1. Supplement to Military Pay Worksheet:** The employee's department and the employee, or the person who holds the power of attorney on behalf of the employee, are responsible for completing the [Supplement to Military Pay Worksheet](#). The purpose of the worksheet is to calculate the gross Supplement to Military Pay and to obtain acknowledgement from the employee that any overpayments will be returned to the University.
- ~~2. Personnel Action Form or Equivalent Document & Sabbatical Leave/Special Leave of Absence:~~ **Leave of Absence Request:** Military leaves of absence and supplements to military pay should be requested in accordance with the

~~local procedure pertaining to leave of absence requests. The employee's department is responsible for completing a Personnel Action Form, Personnel Transaction Request Form or equivalent document and Sabbatical Leave/Special Leave of Absence Form (UPAY 573) to place the employee on military leave. The department should establish as the end date on the current pay Distribution(s) the last date that the employee will receive University pay.~~

~~In accordance with local procedures the department should establish a new Distribution for the period of the military leave, using the calculated gross supplemental pay (line 13, 14, or 15) determined on the Supplement to Military Pay Worksheet. The department should associate the Gross Supplemental Pay amount with the Description of Service Code "SMP." The department should establish a new Distribution with a Begin Date as of the last day of the employee's Military Leave Date and with the same End Date on the original Distribution. If the employee remains on active military duty, the department should complete a Leave of Absence action.~~

3. **Leave and Earnings Statement:** The employee, or the person who holds the power of attorney on behalf of the employee, will be responsible for documenting/estimating the military pay. If available, a Leave and Earnings Statement (LES) will be used to determine the gross monthly military pay. If an LES is not available, the gross military pay may be estimated.
4. **Power of Attorney:** If an employee has designated a power of attorney, documentation of such power of attorney will be submitted along with the completed worksheet.
5. **Cancelling Coverage for All Health & Welfare Benefits:** Employees may enroll in, change, cancel or opt out of health and welfare benefits through UCPATH. An Enrollment, Change, Cancellation, or Opt-Out Form (UPAY 850) will be given to the employee, or the person who holds the power of attorney on behalf of the employee. This form must be submitted to the employee's local benefits office to cancel any plans the employee chooses not to continue during their military leave. Failure to submit UPAY 850 will result in automatic deductions from the Supplement to Military Pay payments to continue enrollment in these plans.
6. **Payroll Earnings Distribution Authorization:** ~~A Pay Disposition Authorization Form will be given to the employee. This form must be completed and returned to the department if the employee wishes to change his or her disposition of pay~~ Employees may change their disposition of pay through UCPATH.

B. Initiating the Supplement to Military Pay

1. **If the Employee Has Not Yet Reported To Active Military Duty:** The employee's department and the employee (or the person who holds the power of attorney on behalf of the employee) are responsible for providing and/or completing the ~~forms outlined within these procedures.~~ relevant forms.

2. If the Employee Has Reported To Active Military Duty and Not Returned:

The employee's department will attempt to contact and inform the employee on military leave (or the person who holds the power of attorney on behalf of the employee) of the Supplement to Military Pay and the procedures required to initiate the Supplement to Military Pay payments.

The Supplement to Military Pay payments will not be issued without the signature of the employee, or the person who holds the power of attorney on behalf of the employee, on the [Supplement to Military Pay Worksheet](#). If a department is unable to obtain a completed worksheet and LES from an employee, or the person who holds the power of attorney on behalf of the employee, the Supplement to Military Pay payment will be calculated and issued upon the employee's return to work.

3. If the Employee Has Returned From Active Military Duty: The employee will submit copies of all LES covering the period of time in which the employee was eligible for Supplement to Military Pay payments. The employee's department will be responsible for calculating the total gross Supplement to Military Pay payment and submitting the required paperwork in accordance with established location procedures.

C. Issuing Payments

- 1. Retroactive Payments:** The employee's department will be responsible for submitting all retroactive paperwork, ~~including the PAF or equivalent document, Sabbatical Leave/Special Leave of Absence Form (UPAY573), leave of absence request form, and late pay transactions.~~ If an employee is eligible for future Supplement to Military Pay payments, the department will complete a ~~PAF or the relevant~~ equivalent document(s) based upon the most recent worksheet and LES obtained from the employee, or the person who holds the power of attorney on behalf of the employee.
- 2. Pro-Rated Payments:** The employee's department will be responsible for pro-rating Supplement to Military Pay payments that do not cover a full pay period for employees covered by positive time reporting.
- 3. Extensions and Multiple Military Leaves:** The employee's department will be responsible for ensuring that Supplement to Military Pay payments for employees with extensions of their original orders or with multiple military leaves are consistent with these guidelines.
- 4. Deductions:**
 - a) Mandatory Deductions:** Supplemental payments will be subject to Federal income tax, State income tax, OASDI, and Medicare. Garnishments/Earnings Withholding Orders for Support, if applicable, will be withheld as well as any mandatory retirement plan contributions.
 - b) Voluntary Deductions:** Voluntary deductions will continue to be withheld unless cancelled by submittal of the appropriate cancellation forms.

c) **Employer Contributions:** Departments are responsible for University contributions.

5. **Issuance:** Supplement to Military Pay payments will be issued during the military leave as part of the normal payroll cycle for each affected employee, except for retroactive payments. The Supplement to Military Pay will be distributed to the disposition selected by the employee.
6. **Terminating Supplement to Military Pay Payments:** The employee's department will be responsible for ensuring that, upon expiration of the Supplement to Military Pay payments, the employee's status is correctly reflected on the ~~PAF or equivalent document~~ relevant document(s).

D. Reconciliation

1. **Reinstatement:** When an employee returns to work from active military duty, the employee will submit an LES for each month for which the Supplement to Military Pay was earned or received. The employee's department will be responsible for reconciling actual Supplement to Military Pay payments with all LES. Any overpayments or underpayments will be adjusted in accordance with established location payroll procedures.
2. **Benefits:** Employees returning from military leave have a 31-day period of initial eligibility to reenroll in coverages which lapsed or were cancelled during the extended military leave. The period begins with the date of return to ~~normal~~ pay status.
3. **Retirement Service Credit:** Covered compensation and retirement service credit (UCRP and Savings Choice service credit) earned during an extended military leave will be manually adjusted when the employee returns to pay status by submitting a copy of the Leave of Absence History or equivalent and copies of PAF or equivalent document documenting the extended military leave and verification of the the employee's military orders to the ~~retirement membership unit~~ Retirement Administration Service Center.
4. **University Contributions:** University contributions to the Retirement Savings Program that would have been earned during an extended military leave will be manually adjusted upon notice of the employee's return to pay status.
- 4.5. **Employees Who Do Not Return to University Service:** Employees who elect to terminate their University appointment will be responsible for contacting their former departments to initiate reconciliation between their estimated and actual military earnings. Employees who have been underpaid will receive the balance due. Overpayments will be repaid to the University.

Overpayments will be forgiven if an employee is killed or is disabled to the extent that such employee cannot return to University employment.

VI. RELATED INFORMATION

- [Consolidated Omnibus Budget Reconciliation Act of 1985 \(COBRA\)](#)
- [Legal Plan Insurance](#)
- [Supplemental Life Insurance](#)
- [Homeowner/Rental/Auto Insurance](#)
- [Basic Disability, Voluntary Short-Term Disability Insurance, and Voluntary Long-Term Disability Insurance](#)
- [Health Flexible Spending Account \(Health FSA\)](#)
- [Dependent Care Flexible Spending Account \(DepCare FSA\)](#)
- [Accidental Death & Dismemberment \(AD&D\)](#)
- [Defined Contribution Plan \(DC Plan\)](#)
- [457\(b\) Deferred Compensation Plan](#)
- [Tax-Deferred 403\(b\) Plan](#)
- [The Uniformed Services Employment and Reemployment Rights Act \(USERRA\)](#)
- [University of California HR Forms and Publications](#)
- [University of California Retirement System \(UCRS\)](#)
- [University of California Retirement Plan \(UCRP\)](#)
- [Supplement to Military Pay Worksheet](#)
- [Health Benefits Enrollment Form for Newly Eligible Employees \(FR.008\) \(UCPath\)](#)
- [Health Benefits Enrollment Form for Life Events \(FR.065\) \(UCPath\)](#)
- ~~[Enrollment, Change, Cancellation, or Opt-Out Form \(UPAY 850\)](#)~~
- ~~[Health Sciences Compensation Plan \(APM – 670\)](#)~~
- Personnel Policies for Staff Members [62](#), [63](#) and [64, II-64](#)
- [The Faculty Code of Conduct \(APM - 015\)](#)
- [University Policy on Faculty Conduct and the Administration of Discipline \(APM - 016\)](#)
- [Non-Senate Academic Appointees/Corrective Action and Dismissal \(APM - 150\)](#)
- [Health Sciences Compensation Plan \(APM - 670\)](#)
- [Benefits and Privileges: Leaves of Absence/Military Leave \(APM – 751\)](#)

VII. FREQUENTLY ASKED QUESTIONS

General

1. *What is the definition of military pay for purposes of this policy?*

Military pay is all compensation received by the employee from the military, including allowances.

2. *How is the Supplement to Military Pay funded for purposes of this policy?*

Each location will determine the source of funds for the Supplement to Military Pay. University general funds, unrestricted gift funds, medical school compensation plan funds, and other funds identified by the campus may be used. Extramural contract and grant funds may be used to the extent such funds were used to pay the employee immediately prior to ~~his or her call~~the call to active military duty.

3. *If an employee separates from University employment during their tour of active military duty, what other types of coverage can the employee continue?*

An employee may opt to continue medical, dental, vision, and Health FSA coverage under COBRA's continuation provisions.

Alternatively, for medical coverage only, an employee may apply — within 31 days after group coverage ends — for conversion to an individual policy. An employee may also apply to the insurance carrier directly for individual coverage. The Affordable Care Act's Health Insurance Marketplace may also provide options.

The employee should contact the local benefits office for assistance with the details.

VIII. REVISION HISTORY

Policy update as of June X, 2022:

- Removed all references to 4-year review provision.
- Additions/update of existing Policy language including scope, definitions, benefits terminology, compliance/responsibility and procedures.
- Updated links, gender neutral language throughout policy.

Policy update as of **July 1, 2018:**

- Replaced reference to former campaign name with more general term.
- Additions/update of existing Policy language including definitions, compensation, duration and procedures.
- Clarification of existing benefits language.

August 23, 2017: This Policy was remediated to meet Web Content Accessibility Guidelines (WCAG) 2.0 and updated the contact info for Academic Personnel.

July 1, 2014 Policy changes:

- Academic Personnel and Human Resources both reflected as the Responsible Offices for this Policy.
- “War on Terror Campaign” updated to “Overseas Contingency Campaign (formerly the War on Terror campaign) or any successor military mobilization campaign.”
- Dep Care FSA language clarified and Health FSA language added.

As a result of the issuance of this Policy, the following document is rescinded as of the effective date of this Policy and is no longer applicable:

- Supplement to Military Pay Policy, dated July 1, 2014
- Supplement to Military Pay Policy, dated July 1, 2012

July 1, 2012: This Policy was reformatted into the standard University of California policy template

MODEL COMMUNICATION

The University of California Office of the President invites comments on proposed revisions to the Presidential Policy on Supplement to Military Pay. The proposed policy revisions include the following:

- Removal of all references to the four-year review provision.
- Additions/update of existing policy language including scope, definitions, benefits terminology, compliance/responsibility and procedures.
- Updated links and addition of gender neutral language throughout the policy.

If you have any questions or if you wish to comment, please contact _____ at _____, no later than _____, 2022.