



Office of the City Manager

CONSENT CALENDAR  
July 22, 2025

To: Honorable Mayor and Members of the City Council  
 From: Paul Buddenhagen, City Manager  
 Submitted by: Janelle Rodrigues, Director of Human Resources  
 Subject: Supplemental Military Leave Compensation Policy

RECOMMENDATION

Adopt a Resolution amending Resolution No. 63,646–N.S. to the City’s Supplemental Military Leave Compensation Policy to be retroactively effective from July 1, 2025, going forward in order to provide supplemental wages for employees called to involuntary active military service.

FISCAL IMPACTS OF RECOMMENDATION

The financial impact will depend on the number of employees called to involuntary active duty and their respective City and military compensation. Based on past deployments, the additional cost is absorbed within the affected department’s existing personnel budget.

CURRENT SITUATION AND ITS EFFECTS

The City of Berkeley has a long-standing commitment to supporting employees who serve in the military. Since the original adoption of this supplemental military leave policy by Resolution No. 63,646–N.S. in 2007, the City has offered supplemental military compensation to help offset income loss during active military duty. Most recently extended by Resolution No. 70,949–N.S., the policy is set to expire on June 30, 2025. Due to ongoing deployments and the continued need for support to deployed City staff and their families, staff recommend adopting the policy on an ongoing basis.

The supplemental military leave policy provides:

1. In addition to the 30 days fully paid annual military leave provided under the California Military and Veterans Code, the City will pay additional wages to supplement an employee’s military pay and allowances to an amount equal to the employee’s regular salary for a period not to exceed two (2) years that must be taken within 36 months of the initial call up order for employees who have at least one (1) year of employment with the City and who have been called up to involuntary active service. However, if the twelve months have elapsed since the employee has returned from deployment and is redeployed, the employee will start a new cycle of Supplemental Military Leave Benefits as described above.

2. The City will pay additional wages to supplement an employee's military pay and allowances in an amount equal to one-half (1/2) of the employee's regular salary for a period not to exceed two (2) years that must be taken within 36 months of the initial call up order for employees with less than one (1) year in career service with the City and who have been called up to involuntary active service.

This action aligns with the City's goal to attract and retain a talented and diverse City government workforce and ensures continued support for employees fulfilling military obligations.

### BACKGROUND

Under California and federal law, the City provides baseline military leave benefits, including fully paid leave for up to 30 days per fiscal year and continuation of health and retirement benefits. The City's supplemental policy for the past 18 years expands upon these rights by offering benefits as described above.

Since the events of September 11, 2001, the City Council has adopted several resolutions on supplemental military leave compensation. The City's policy on supplemental military leave compensation was last updated on April 24, 2007, and has been incorporated in Resolution No. 63,646-N.S. Since its initial adoption in 2007, the Council has consistently extended the policy through multiple resolutions in recognition of the unpredictable nature of military call-ups and in support of City staff and their families.

### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental sustainability or climate impacts associated with this action.

### RATIONALE FOR RECOMMENDATION

Extending the policy demonstrates the City's ongoing commitment to employees who serve in the military and ensures that they and their families receive consistent financial support during deployments.

### ALTERNATIVE ACTIONS CONSIDERED

None.

### CONTACT PERSON

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RESOLUTION NO. ##,###-N.S.

ADOPTION OF THE SUPPLEMENTAL MILITARY LEAVE COMPENSATION POLICY

WHEREAS, since September 11, 2001, the City Council has adopted a series of resolutions establishing and extending a Supplemental Military Leave Compensation Policy to support employees involuntarily called to active military service; and

WHEREAS, the City of Berkeley complies with California Military and Veterans Code Section 389 et seq., and the Federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. Sections 4301 et seq., by providing up to 30 days of fully paid military leave per fiscal year and continued health benefits during deployment; and

WHEREAS, on September 21, 2004, the City Council adopted Resolution No. 62,648–N.S. that provided that the City would pay additional wages to supplement an employee’s military pay and allowances to an amount equal to the employee’s regular salary for a period not to exceed two (2) years that must be taken within 36 months of the initial call up order for employees who have at least one (1) year of employment; and

WHEREAS, this same Resolution No. 62,648–N.S. provided that the City will pay additional wages to supplement an employee’s military pay and allowances in an amount equal to one-half (1/2) of the employee’s regular salary for a period not to exceed two (2) years that must be taken within 36-months of the initial call up order for employees with less than one (1) year in the career service with the City who have been called up to involuntary active service; and

WHEREAS, on April 24, 2007, the City Council adopted Resolution No. 63,646–N.S. that provided that the City would pay additional wages to supplement an employee’s military pay and allowances to an amount equal to the employee’s regular salary for an aggregate period of 24-months that must be taken within 36-months for employees called for active military service and to extend the City’s supplemental military leave compensation benefit to May 31, 2008; and

WHEREAS, this same Resolution No. 63,646–N.S. provided that if 12 months have elapsed since the employee has returned from deployment and is redeployed, the employee will start a new cycle of supplemental military leave compensation benefits to provide a salary supplement for an aggregate of 24 months that must be taken within 36 months of the subsequent deployment; and

WHEREAS, this same Resolution No. 63,646–N.S. provided that the City will pay additional wages to supplement an employee’s military pay and allowances in an amount equal to one-half (1/2) of the employee’s regular salary for a period not to exceed two (2) years that must be taken within 36 months of the initial call up order for employees with

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less than one (1) year in the career service with the City who have been called up to involuntary active service; and

WHEREAS, the City Council adopted various resolutions to extend the Supplemental Military Leave Benefit on an annual basis, starting on April 24, 2007 (Resolution No. 63,646-N.S.); May 20, 2008 (Resolution No. 64,063-N.S.); April 21, 2009 (Resolution No. 64,398-N.S.); April 27, 2010 (Resolution No. 64,851-N.S.); April 26, 2011 (Resolution No. 65,239-N.S.); May 15, 2012 (Resolution No. 65,701-N.S.); May 7, 2013 (Resolution No. 66,124-N.S.); May 6, 2014 (Resolution No. 66,564-N.S.); May 12, 2015 (Resolution No. 67,017-N.S.); April 26, 2016 (Resolution No. 67,438-N.S.); May 15, 2017 (Resolution No. 67,963-N.S.); July 11, 2023 (Resolution No. 70,949-N.S.); and

WHEREAS, the most recent extension of this policy was approved by Resolution No. 70,949-N.S. on July 11, 2023, which extended the policy through June 30, 2025; and

WHEREAS, military reservists continue to face ongoing and extended involuntary deployments, requiring ongoing support from the City to reduce the financial burdens on employees and their families during military service.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that Resolution No. 63,646-N.S. is hereby amended to extend on an ongoing basis the City's Supplemental Military Leave Compensation Policy with a retroactive effective date from July 1, 2025, until such time as it is amended.

BE IT FURTHER RESOLVED that the policy shall continue to provide that:

Employees with at least one (1) year of service with the City shall be eligible to receive a salary supplement equal to the difference between their military compensation and their City salary for an aggregate period not to exceed twenty-four (24) months, to be used within thirty-six (36) months of the initial call-up order.

Employees with less than one (1) year of service shall be eligible to receive a salary supplement equal to one-half ( $\frac{1}{2}$ ) of their regular City salary for the same period.

If twelve (12) months have passed since an employee returned from military deployment and is subsequently redeployed, the employee shall begin a new twenty-four (24) month benefit cycle.