

SERVICEMEN'S ACT PROCEDURES

The Employers will be responsible for the following:

- (1) Process the employee's request for military leave without pay (LWOP) based on the active duty military orders.
- (2) Determine eligibility and calculate retirement contribution payment to the ERS upon the employee's return back to work pursuant to Section 88-132, Hawaii Revised Statutes. This section allows the Employer to pay the retirement contributions for the employee as if the member remained in continuous active service during the period of member's active duty military service.
- (3) Complete the ERS Payroll Information Template which is attached for your reference with the following:
 - (a) Enter all applicable fields including contributions owed and salaries earned as if your employee remained in continuous active service during the LWOP period on military leave.
 - (b) Include all applicable pay changes during the employee's leave.
 - (c) Enter the following information in the ERS Memo tab:
 - Completed by
 - Department
 - Phone Number
 - Servicemen's Act- Member's name
 - Employee's contribution
 - Employer's contribution
 - Payment date
 - (d) Insert PDF of military orders
- (4) Submit the Payroll Information for the Employer and Employee contributions via Axway (electronic file) to the ERS within 30 day upon Employer's approval.

Also, under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA); the employee may be eligible to purchase active duty military service above the four (4) years allowed under the Servicemen's Act. The ERS requests the Departments to notify your employee for all LWOP due to military service after the four years to contact our office for possible acquisition.

SAMPLE ERS PAYROLL TEMPLATE for SERVICEMEN’S ACT

- 1) Complete “Insert ERS Memo” tab
- 2) Then complete “Payroll Information Template”

A	B	C	D	E
Please paste a copy of the email or fax from ERS requesting payroll information or complete the ERS staff information below. This will help ERS distribute your response to the appropriate parties. You may also add comments regarding the information you are providing.				
ERS Staff Requestor:			Completed By:	Leilani Doe
Date Request Received:			Department:	Honolulu Fire Dept
			Phone No:	586-1735
Insert email, fax, or add comments here:				
<div style="border: 1px solid purple; padding: 5px;"> Servicemen's Act: JOHN ALOHA Employee's Contribution: \$5856 Employer's Contribution: \$2400 Payment Date: 06/01/2021 </div>				
<div style="border: 1px solid red; padding: 10px; margin: 10px 0;"> Insert PDF of military orders or documentation for leave. </div>				
<div style="border: 1px solid purple; padding: 10px; margin: 10px 0;"> In addition, complete the payroll information template tab to provide ERS with the Member's pay and contributions for the periods of military leave, </div>				
<div style="display: flex; justify-content: space-between; align-items: center; border-top: 1px solid gray;"> Instructions Insert ERS Memo File Naming Conv Retro-Overpymt Rptd Payroll Information Template Help + </div>				