

**ORLANDO POLICE DEPARTMENT POLICY AND
PROCEDURE
1611.9, MILITARY LEAVE**

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RESCINDS:	1611.8
DISTRIBUTION:	ALL EMPLOYEES
REVIEW RESPONSIBILITY:	PROFESSIONAL STANDARDS DIVISION COMMANDER
ACCREDITATION CHAPTERS:	NONE
CHIEF OF POLICE	ORLANDO ROLÓN

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POLICY: It is the policy of the Orlando Police Department to grant military leave in accordance with Civil Service policy, any union agreement, and federal and state laws.

This policy establishes guidelines for the granting of paid and unpaid leaves of absence, for the notification of military leave, and for the reinstatement of employees returning from military leave.

PROCEDURES:

1. MILITARY ACTIVATION

Employees may be called to military duty by the state and/or federal authorities. The duty may be for active or inactive duty. The rights of employees called to duty will vary depending on who calls them to duty and whether the duty is active or inactive.

Employers may not prohibit employees, including emergency responders, from attending any active or inactive military training or duty ordered by the federal or state authorities.

Employers may not require employees engaged in military duty, including weekend drills, etc., to alter the employee's work schedule to accommodate any inconvenience caused the employer by the employee's absence. If there is a conflict, it is the responsibility of the employer to provide a substitute.

NOTE: Persons who are members of the National Guard may be called to duty by the governor of the state or by the U.S. Government. When called by the governor, members act as the Florida National Guard and are governed by Section 1.2 of this policy. When called by the U.S. Government, members act as the National Guard governed by Section 1.1 and 1.4 of this policy.

1.1 RESERVE OR GUARD TRAINING (FEDERAL ACTIVATION)

Any non-appointed employee, who is a member of the reserve forces of the United States Military or the National Guard, is entitled to leave without loss of vacation/personal leave, pay, time, or performance ratings for up to 30 working days in any one annual period when they are engaged in training ordered under the provisions of the United States Military for personnel assigned to active or inactive duty (Florida Statutes, Chapter 115, LEAVES OF ABSENCE TO OFFICIALS AND EMPLOYEES). For purposes of this policy an "annual period" is defined as the fiscal year from October 1 to September 30.

1.2 FLORIDA NATIONAL GUARD (STATE ACTIVATION)

Any City employee who is a member of the National Guard is entitled to leave without loss of vacation/personal leave, pay, time, or effect on performance ratings for not more than 30 calendar days at any one time when such employee is engaged in active state duty, ordered under or pursuant to the provisions of §250.28, Fla. Stat., Military Support for Civil Authorities, or §252.36, Fla. Stat., Emergency Management Powers of the Governor.

1.3 INDUCTION FOR ACTIVE DUTY

Employees who are inducted into active military service are generally entitled to be reinstated for a period of five years after they are inducted and during which they are on active duty. This period of time may be extended at the federal government's request. The provisions for reinstatement contained in Section 5 of this policy are applicable to reinstatements made after induction for active duty.

1.4 FEDERAL ACTIVATION OF FORCES

Reserve or guard forces activated by the U.S. Federal Government will be treated in accordance with applicable federal legislation.

2. NOTIFICATION OF MILITARY LEAVE

Notifications for military leave shall be submitted no later than 72 hours after notification is received by the employee and shall be accompanied by documents from the military unit commander as soon thereafter as possible, but in no event later than 72 hours after receipt by the employee. Failure to provide this notice as required herein, when caused by the negligence of the employee, shall be grounds for discipline; however, it shall not affect the employee's obligation to respond for military duty. Civilian employees shall follow guidelines in City Policy & Procedure 808.30 for submission of request for military leave.

Employees notifying the Department of military leave shall forward a copy of the military order to the Fiscal Operations Unit, Training Unit, Training Coordinator and the Department Ombudsman. The Fiscal Operations Unit will attach the order to the Department payroll. Any employee on such military leave shall be recorded on the pay sheet in the appropriate space. Any employee notifying the Department of military leave in excess of 30 days will complete the Military Leave Sign-Out Form (Attachment A). The employee's supervisor will complete a Personnel Transaction Form, noting the leave of absence due to military duty and the anticipated length of time the officer will be on leave.

The Training Coordinator will notify the member of the status of the member's Law Enforcement Certification and the requirements to maintain the certification, as well as any additional mandatory training obligations. The Training Coordinator will notify the Florida Department of Law Enforcement (FDLE) of the officer's military status. In accordance with applicable Florida Statutes, the Uniformed Services Employment and Reemployment Rights Act and the Florida Administrative Code, the member's certification will be held by FDLE without becoming inactive until the member completes the mandatory training requirements upon return from military duty, unless the member has a break in service for more than five years. If a member has a break in service for military leave for an excess of five years, the member's Law Enforcement Certification will become inactive.

The Orlando Police Department Ombudsman shall serve as the OPD point of contact for family members or dependants of employees on extended active duty. The OPD Ombudsman shall be appointed by the Chief of Police and serve as the principal advisor to the Chief of Police in matters regarding OPD support to military dependents and families. The OPD Ombudsman will serve as a link to the benefits and support services and networks available both by the military and the City, and they shall ensure all family members or dependents of activated Departmental employees are provided with the points of contact to the resources and information necessary to support the employee's family while the Departmental employee is away. When notification of extended military duty is provided by a Department employee, the supervisor or manager of the activated employee shall provide the employee with the point of contact information for the Orlando Police Department Ombudsman. The supervisor or manager shall also ask if the employee's family or dependents wish to be contacted by the Ombudsman and if they have any children that require support.

3. EXTENDED PERIODS OF LEAVE

Time in excess of the leave authorized for volunteer military service may be charged (at the employee's option) to appropriate accrued leave (vacation/personal, compensatory time, management) until such leave is exhausted or by law, the employee will be granted "Leave of Absence Without Pay." Sworn employees shall submit all requests for leave of absence in writing to the Chief of Police via the chain of command stating the reason for the request and the estimated length of the proposed leave of absence. The Chief of Police shall notify the Civil Service Board of any sworn members who have been granted "Leave of Absence Without Pay" for military leave. Civilian employees shall submit all requests for leave of absence per City Policy & Procedure 808.30.

4. EQUIPMENT

If the military duty is for a period lasting more than 30 days in duration, the member's supervisor shall ensure the pistol belt with accessories, handgun, and radio shall be turned in to the Quartermaster Unit to be secured until the member's return. Sworn members must turn vehicles in to the Fleet Coordinator or Section Vehicle Coordinator for retention or reassignment. If the member is assigned a long gun, it must be turned in to the Quartermaster Unit for retention or reassignment. All employees assigned a mobile computer and radio must turn the equipment in to the Quartermaster Unit, for retention or reassignment.

For military duty periods lasting less than 30 days in duration, the member's vehicle shall be parked at the member's assigned OPD facility and a set of keys given to his or her supervisor until the member returns. Mobile computer equipment and radio shall be secured by the employee, who is responsible for the safekeeping of the equipment. Assigned weapons shall be secured by the member, who is responsible for the safekeeping of the weapons. If it is deemed to be in the best interest of the Department, the Quartermaster Unit Supervisor is authorized to make exceptions to this provision as it relates to the handgun, long gun and radio. The Fleet Coordinator is authorized to make exceptions to this provision as it relates to the vehicle.

5. REEMPLOYMENT/REINSTATEMENT

Employees shall be reinstated upon return from military duty whether active or inactive in accordance with federal and state laws that govern the return of an employee after military leave. Supervisors must contact the Police Legal Advisor immediately if there is any question about the reinstatement of an employee returning from military leave.

Any member, who serves for periods longer than 180 days, shall apply for reemployment/reinstatement with the Department's Recruiting Unit within the time constraints specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA), Chapter 43 of Title 38, U.S. Code. The member shall provide the Recruiting Unit and the Training Coordinator with a copy of the DD214 indicating that he or she was honorably discharged from service prior to reemployment/reinstatement. The Training Coordinator will notify FDLE of the member's return from military duty and submit any applicable documentation to FDLE.

Any member, absent from work 12 months or less due to military leave, and has NOT served in a combat/hostile zone during that time period of military leave, shall be required to ensure that all training requirements are met prior to returning to full duty. This would include members on military leave for annual training, military education, and other TDY assignments, to fulfill the needs of the member's respective Reserve Unit. It shall be the responsibility of the member's supervisor to ensure these requirements are met. Members will be required to apply for reinstatement by completing the Military Sign- In Form (Attachment B) and the member's supervisor must complete the Personnel Transaction Form (PTF) immediately upon the member's return from military leave.

Any member, absent from work in excess of 12 months, shall apply for reemployment/reinstatement with the Department's Recruiting Unit. The Recruiting Unit will process the member's reemployment/reinstatement in compliance with FDLE hiring requirements, state and federal laws. The member shall be required to successfully complete a return-to-work psychological exam, physical exam administered by the City, and any other process of retraining to ensure the

member's fitness to return to duty. This requirement shall also apply to any member assigned to ANY combat duty or hostile environments, regardless of the period of time. Additional requirements may be necessary under certain circumstances, in accordance with federal or state law. Members must also complete the Military Sign In Form and the member's supervisor must complete a Personnel Transaction Form (PTF) immediately upon the member's return from military leave.

Any civilian employee, who serves for periods longer than 180 days, shall apply for reemployment/reinstatement with his or her current assigned manager within the time constraints specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA), Chapter 43 of Title 38, U.S. Code. The employee shall provide the manager with a copy of the DD214 indicating that he or she was honorably discharged from service prior to reemployment/reinstatement. The employee shall complete the Military Leave Sign-In Form and the employee's manager shall complete a Personnel Transaction Form (PTF) immediately upon the employee's return from military leave.

Employees shall be reinstated by the Department at the earliest possible time, and not to exceed more than five working days between the date the employee becomes available for reinstatement and the date of reinstatement.

6. TRAINING

Upon returning from active or inactive military duty, for periods longer than 30 days, sworn members shall complete any necessary mandatory retraining and must ensure that the member's law enforcement certification is active. If the member's Law Enforcement Certification becomes inactive, the member must meet FDLE Equivalency of Training (EOT) standards, successfully demonstrate proficiency in High-Liability Basic Recruit Training Courses and must achieve a passing score on the applicable State Officer Certification Examination to become reactivated.

Upon returning from active or inactive military duty, in excess of twelve months, sworn members shall be required to attend a training orientation which will cover all high liability areas such as firearms qualification, defensive tactics, driving, infectious diseases, booking procedures, and include a review and test of the Response to Resistance and Vehicle Pursuit policies. It will be the responsibility of the affected member's supervisor to notify the Training Coordinator of the officer's return from military deployment so the training can be scheduled. The affected member's supervisor will also be responsible for ensuring the member receives and is trained on policies and procedures and regulations that were instituted in their absence. (USERRA Chapters 14, 30, and 37)

ATTACHMENT A

**ORLANDO POLICE DEPARTMENT
MILITARY LEAVE SIGN-OUT FORM**

THIS FORM MUST BE COMPLETED BY ANY EMPLOYEE LEAVING FOR MILITARY DUTY FOR MORE THAN 30 DAYS.
THIS FORM MUST BE COMPLETED AND RETURNED TO THE OFFICE OF THE CHIEF OF POLICE.
PLEASE CONTACT THE FOLLOWING PEOPLE/UNITS BEFORE LEAVE OF ABSENCE BEGINS.

Name: _____ Emp #: _____ Date: _____
 Present Rank: _____ Deployment Dates: From: _____ To: _____
 Current Assignment: _____
 Contact Number: _____ Contact Email: _____

#	POSITION OR UNIT	SIGNATURE DENOTING RELEASE	DATE
1.	ASSIGNED UNIT - SUPERVISOR Supervisor to complete Personnel Transaction Form (PTF).	(Supervisor's Signature)	
2.	TRAINING COORDINATOR (Sworn only)		
3.	FLEET COORDINATOR (Sworn only)		
4.	SUPPLY (OPH)		
5.	PAYROLL (OPH)		
6.	DIVISION COMMANDER		
7.	OFFICE OF THE CHIEF OF POLICE		

EMPLOYEES WHO PARTICIPATE IN 457 DEFERRED COMPENSATION, PLEASE
CONTACT ICMA'S MARKETING REPRESENTATIVE (via City of Orlando Finance, x3817)

Employee's Signature: _____ Date: _____

Please forward form with Chief's final approval to Patrol Services Bureau Aide for retention.

ATTACHMENT B

**ORLANDO POLICE DEPARTMENT
MILITARY LEAVE SIGN-IN FORM**

THIS FORM MUST BE COMPLETED BY ANY EMPLOYEE RETURNING FROM MILITARY DUTY WHO WAS ON LEAVE LONGER THAN 30 DAYS. THE COMPLETED FORM SHALL BE FORWARDED TO THE OFFICE OF CHIEF OF POLICE BEFORE REINSTATEMENT WILL BE AUTHORIZED. PLEASE CONTACT THE FOLLOWING PEOPLE/UNITS IN THE ORDER LISTED FOR OFFICIAL REINSTATEMENT.

Name: _____ Emp #: _____ Date: _____
 Present Rank: _____ Deployment Dates: From: _____ To: _____
 Current Assignment: _____

#	POSITION OR UNIT	SIGNATURE DENOTING RELEASE	DATE
1.	ASSIGNED UNIT - SUPERVISOR Supervisor to complete Personnel Transaction Form (PTF).	(Supervisor's Signature)	
2.	RECRUITING (OPH)		
3.	TRAINING COORDINATOR (Sworn only)		
4.	FLEET COORDINATOR (Sworn only)		
5.	SUPPLY (OPH)		
6.	PAYROLL (OPH)		
7.	DIVISION COMMANDER		
8.	OFFICE OF THE CHIEF OF POLICE		

EMPLOYEES WHO PARTICIPATE IN 457 DEFERRED COMPENSATION, PLEASE CONTACT ICMA'S MARKETING REPRESENTATIVE (via City of Orlando Finance, x3817)
 EMPLOYEES WHO WISH TO RESUME UNION DUES DEDUCTION SHOULD NOTIFY PAYROLL.

Employee's Signature: _____ Date: _____

Please forward form with Chief's final approval to Patrol Services Bureau Aide for retention.