

Policy: 1611.11, Military Leave

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Distribution Group: All Employees

Review Responsibility: Patrol Services Bureau Commander

Accreditation Chapter(s): None

Chief of Police: Orlando Rolón

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I. PURPOSE

In accordance with [City Policy 808.30](#), it is the policy of the City of Orlando to grant employees leave for services in the volunteer military of the United States and the Florida National Guard in accordance with applicable provisions of the Florida Statutes as from time to time amended.

II. POLICY

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.

III. DEFINITIONS

None

IV. PROCEDURES

1. MILITARY ACTIVATION

Any City employee who is a member of the reserve forces of the United States military or the National Guard of the State of Florida; and are called upon to perform active military service is entitled to leave without loss of pay, time or effect on performance ratings for thirty (30) calendar days of any such leave of absence. Chapter 115, Florida Statute (2020).

Elected and appointed officials who are members of the either reserve forces of the United States or the National Guard of the State of Florida and who are called upon to perform active military services are entitled to the first thirty (30) days of leave with full pay.

Any non-appointed employee who is a member of the reserve forces of the United States military or the National Guard of the State of Florida, is entitled to leave without loss of personal leave, vacation leave pay, time, or performance rating for up to two hundred forty (240) working hours in any one annual period when they are engaged in training ordered under the provisions of the United States military or naval training for personnel assigned to active or inactive duty. [Section 115.07, Florida Statute](#) (2020). For purposes of this policy an "annual period" is defined as the fiscal year from October 1st to September 30th.

2. NOTIFICATION OF MILITARY LEAVE

Employees must provide a copy of official military orders to their supervisors and the Patrol Services Bureau Aide within forty-eight (48) hours of receipt. In addition, employees must submit written notice of pending leave request to their supervisor on a timely basis, consistent with the military orders. Submitted written documentation should state the reason for the absence (i.e. active military service or training required by federal military regulations) and include copy of orders from the appropriate military authority. Supervisors shall provide a copy of all documentation to the Human Resources Division Manager.

Employees notifying the Department of military leave shall also forward a copy of the military order to the Fiscal Management Section, In-Service Unit, Training Coordinator, the Patrol Services Bureau Aide, and the Department Ombudsman. The Fiscal Management Section 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 B). 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 dependents 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

Leave time in excess of 30 calendar days for activation or 240 hours for training authorized for volunteer military service may be charged (at the employee's option) to appropriate accrued leave (vacation, personal, compensatory time, management leave) until such leave is exhausted. If additional leave is still required, by law, the employee will be granted "Leave of Absence Without Pay." All requests for leave of absence must be submitted in writing to the employee's Bureau Commander via their chain of command and state the reason for the request and the estimated length of the proposed leave of absence. Employees must contact Benefits prior to going on extended leave to review coverage options.

4. EQUIPMENT

If the military duty is for a period lasting more than 30 days in duration, the member's lieutenant or captain shall ensure the pistol belt with accessories, handgun, taser, 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 their supervisor 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. The Professional Standards Section Commander must be present when receiving stored equipment upon return from military duty. Department authorized ammunition may not be issued to the employee until they have successfully passed all training requirements. The member's vehicle shall be returned once they have successfully passed all training requirements.

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 and has successfully passed all training requirements. 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, taser, and radio.

5. REEMPLOYMENT AND 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 A) and the member's supervisor must complete the Personnel Transaction Form (PTF) immediately upon the member's return from military leave. Upon return, an email will be sent to (OPDMilitaryLeave@orlando.gov) by either the Patrol Services Bureau Aide or the Police Service Coordinator. This email should include the member's name and employee number along with their return date and a completed copy of the Military Sign-In Form (Attachment A).

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)

V.FORMS AND APPENDICES

ATTACHMENT A-Military Leave Sign-In Form

ATTACHMENT B-Military Leave Sign-Out Form

VI.REFERENCES

This policy rescinds Policy and Procedure 1611.10

Related Policies: City Policy [808.30](#)

Related Laws: Florida Statute 115.07