

DEPARTMENT GENERAL ORDER 13-01

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 00-30

DATE: January 7, 2013

MILITARY LEAVE

I. PURPOSE.

To establish guidelines in regard to military leave policy for commissioned and non-commissioned department employees. Procedural activities required by current City and department policy are also included herein.

II. GENERAL.

Employees who serve in the uniformed services of the United States will be granted a military leave of absence for a cumulative period of up to five (5) years, pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994.

For all periods of military service during which employees are engaged in the performance of duty or training in the service of the State of Missouri at the call of the Governor and as ordered by the Adjutant General, the leave period with pay shall be indefinite.

For all periods of military service during which employees are engaged in the performance of duty in the service of the United States under competent orders, the leave period with pay shall be up to 120 hours per federal fiscal year (October 1 through September 30) for training or activation.

After expiration of 120 hours of paid leave for federal service, for any additional times of compulsory service due to activation but not training, employees shall have their military pay supplemented by the City in an amount not to exceed their regular City pay, for a period up to six (6) months. Additional military leave shall be unpaid unless the employee chooses to utilize accumulated vacation or compensatory leave.

Requests for military leave should be in writing to the employee's immediate supervisor, accompanied by a copy of the official orders.

Seniority and benefits based on seniority, such as pension, shall continue to accrue during the period of military leave.

The employee may elect to continue health and dental care coverage for himself and his dependents during military leave.

1. Coverage ends after twenty-four (24) months, or on the date the employee fails to return or apply for return to employment as required under USERRA.
2. The employee's insurance premium obligation will be at the current rate for employee participation during the initial thirty-one (31) days of military leave.
3. Employees on military leave exceeding thirty-one (31) days will be required to pay the full premium cost.

A veteran who satisfactorily completes service in the uniformed services will be restored to his previous position, or a position of like seniority, status and pay, in accordance with the guidelines established under USERRA.

1. As required under USERRA, upon completion of the period of military service, the returning veteran must notify the City's Human Resources Office that he intends to return to work.
2. An employee who is reemployed under this policy is entitled to the seniority and other rights and benefits determined by seniority that he had on the date his uniformed service began. The employee is also entitled to any additional seniority and rights he would have had if he had remained continuously employed.

A veteran reemployed under this policy shall not be discharged from employment, except for cause:

1. within one (1) year after the date of reemployment, if the employee's period of military service before reemployment was more than 180 days, or
2. within 180 days after the date of such reemployment if the employee's period of military service before reemployment was more than thirty (30) days but less than 181 days.

III. ADMINISTRATIVE PROCEDURES.

Any employee belonging to a military component, defined in Section II above, shall annually notify the Chief of Police by January 1 of each year, in writing, of such obligation via the appropriate chain of command. The annual notification shall include the following information:

1. Title of military component and address.
2. Location of normal duty station.
3. Telephone number at normal duty station.
4. Name and rank of commanding officer.
5. Employee's military rank and general duties.
6. Anticipated dates of required duty or training.

Before any period of military leave with pay is authorized, the employee shall again submit a written notification, through the proper chain of command, to the Chief of Police at least thirty (30) days prior to the effective date of such military duty or training. This notification shall provide:

1. Dates required for military leave.
2. Last duty day, as well as the date and time of expected return to normal job assignment.
3. Scheduled work and recreation days.

Upon receipt of official military orders, and prior to departure for active duty/training, the employee shall submit a copy of the orders to the Chief of Police as evidence of such duty for which military leave is to be granted.

Upon return from any military absence, the employee shall submit to the Chief of Police "certification of the employee's commanding officer of performance of duty in accordance with the terms of such order".

Employees requiring more than the authorized fiscal year maximum of 120 hours shall make written notification requesting extended military leave, and will provide the same information and proofs as required for that leave and/or training which does not exceed the 120 hour limit.

Employees may, at their discretion, and in accordance with departmental manpower needs, utilize vacation, personal holidays, etc. to fulfill their military obligation beyond the 120 hour maximum. However, all such leave requests will be subject to the same conditions and requirements outlined for receiving paid leave.

Finally, employees shall immediately notify the Chief of Police of any changes (dates, operational information, duty station, etc.) in regard to a planned and/or anticipated military leave.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

TJB:mj