

 <b>Policy and Procedure</b>		<b>Policy Number</b> <b>3.24</b>
<b>Chapter</b>	Employment Policies	<b>Approved By:</b> Luke Hecker, Chief of Police
<b>Article</b>	Military Deployment and Reintegration	
<b>Effective Date:</b> September 22, 2015		

### PURPOSE

To establish Department responsibilities to assist personnel who are deployed for military service.

### POLICY

The City and Department support our citizen soldier employees and will comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. Employees will follow the directives outlined in the City's Administrative Regulation regarding military leave of absence.

### DEFINITIONS

**Deploy**, as used in this policy, includes pre-deployment, deployment, and post-deployment activities for the employee to fulfill their military duties.

The **Employer Support of the Guard and Reserve (ESGR)** is a Department of Defense office established in 1972 to promote cooperation and understanding between Reserve Component Service members and their civilian employers and to assist in the resolution of conflicts arising from an employee's military commitment. <ESGR website <http://esgr.mil/About-ESGR/Who-is-ESGR/What-is-ESGR.aspx> >

ESGR's **Ombudsman Services Program** provides information and mediation on issues related to USERRA. The ESGR Customer Service Center is available to answer USERRA questions. Specially trained Ombudsmen are available to assist members of the Guard and Reserve in resolving disputes with their civilian employers related to military service in the uniformed services through neutral and impartial mediation. ESGR Ombudsmen are volunteers located throughout the U.S. and U.S. territories. <ESGR website <http://esgr.mil/About-ESGR/Who-is-ESGR/What-is-ESGR.aspx> >

The **Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)** is a federal law that establishes rights and responsibilities for uniformed service members and their civilian employers.

USERRA is a federal law intended to ensure that persons who serve or have served in the Armed Forces, Reserves, National Guard or other uniformed services: (1) are not disadvantaged in their civilian careers because of their service; (2) are promptly reemployed in their civilian jobs upon their return from duty; and (3) are not discriminated against in employment based on past, present, or future military service. The law is intended to encourage uniformed service so that the United States can enjoy the protection of those services, staffed by qualified people, while maintaining a balance with the needs of private and public employers who also depend on these same individuals. < ESGR website <http://esgr.mil/USERRA/What-is-USERRA.aspx> > <Title 38, Chapter 43 USC>





### GENERAL GUIDELINES

Guidance for complying with USERRA is outlined in City of Loveland Administrative Regulations. The AR covers general compliance, compensation and benefits, and return to City employment after specified military service times as outlined in USERRA. The Department will perform the additional actions for personnel with military deployments exceeding 180 days as outlined in this policy. This policy or portions of the policy may be put into effect for those employees who are deployed for less than 180 days when requested or deemed necessary by the employee or the Department.

To ensure compliance with USSERRA, any supervisor who plans to take Department disciplinary action against an employee that resulted from some aspect of the employee's United States military service whether active duty, National Guard, or Reserves will consult with Human Resources prior to initiating such action. The supervisor may also contact an ESGR ombudsman for clarification of USERRA compliance. <CALEA 22.2.8>

#### **Department Point of Contact** <CALEA 22.2.8 (a)>

The Department designee will identify and assign a point of contact to assist the employee with all portions of this policy, applicable portions of the City's AR, and the Department's and City's out-processing and in-processing procedures. This point of contact, if not the employee's direct supervisor, will keep that supervisor informed of the employee's status.

#### **Human Resources** <CALEA 22.2.8 (b)>

The employee and/or Department point of contact will seek assistance from the Department's assigned HR liaison to ensure compliance with the City's AR, USERRA, and this policy.

#### **Leave from Department – Out-processing** <CALEA 22.2.8 (c)>

The employee and/or Department point of contact will seek assistance from the Department's assigned HR liaison to ensure compliance with the City's AR, USERRA, and this policy for out-processing to include pay, benefits, establishing lines of communication, and interviews with the Chief or designee.

#### **Storage of Agency Owned Equipment** <CALEA 22.2.8 (d)>

The Department point of contact will work with the affected employee to ensure the proper storage of agency owned weapons and other equipment in accordance with requirements of this policy manual as well as City ARs and procedures.

#### **Reintegration – In-processing** <CALEA 22.2.8 (e)>

The employee and/or Department point of contact will seek assistance from the Department's assigned HR liaison to ensure compliance with the City's AR, USERRA, and this policy for in-processing to include pay, benefits, establishing lines of communication, and interviews with the Chief or designee.

The Department point of contact will ensure that the returning employee will meet with the Department psychologist and supervisor to determine a reintegration plan. The plan will be defined and implemented by the Department psychologist, the employee, and other identified members of the Department such as the Peer Support Team.





### **Training upon Return** <CALEA 22.2.8 (f)>

The Department will provide training to include weapons proficiency for all assigned weapons and a review of the City's Employee Assistance Program. Additional training will cover any policies, procedures, systems, paperwork, or processes that were changed or implemented during the employee's absence. A period of field training (re-acclimation) training such as driving a police car, building clearances, radio usage, and citizen contacts will be provided based on assignment and the time the employee was deployed.

### **Communication While Deployed** <CALEA 22.2.8 (g)>

The Department will endeavor to establish at least one formal line of communication with the employee to provide agency news, significant events and advisement of promotions or promotion opportunities. This communication is dependent on the deployed employee's ability to communicate with the Department during the deployment. The Department will also offer to include the deployed employee's family in Department functions and provide assistance to the family during the deployment.

