

OFFICE OF CHIEF OF POLICE
OAKLAND POLICE DEPARTMENT

MEMORANDUM

TO: All Personnel DATE: 1 Jun 09

SUBJECT: Revision of Departmental General Order D-12,
MILITARY LEAVE (Rev. 14 Dec 99)

The purpose of this order is to set forth Department policy and procedures regarding military leave, leaves/extended leaves of absence, pre-deployment procedures, and the process of re-instatement and re-integration upon return to City employment.


The evaluation coordinator for this order shall be the Personnel, Training, Technology Division Commander, who, without further notice, shall forward the required report to the Chief of Police on or by 1 Dec 09.

The Evaluation Coordinator shall receive, review and document the acceptance or rejection of all comments and/or recommendations received prior to submitting his/her six-month evaluation report.

The Evaluation Coordinator shall forward a copy of the six-month evaluation report, along with the comments/recommendations received, to the Office of Inspector General to be maintained in the appropriate Departmental General Order archive folder.

Personnel shall acknowledge receipt, review, and understanding of this directive in accordance with the provisions of DGO A-1, DEPARTMENTAL PUBLICATIONS.

By order of


Howard A. Jordan
Acting Chief of Police

Date Signed: 26 MAY 09



DEPARTMENTAL
GENERAL
ORDER

D-12

Index as:

Military Leave

Effective Date:
1 Jun 09

Evaluation Coordinator:
PTT Division Commander

Evaluation Due Date:
1 Dec 09

Automatic Revision Cycle:
3 Years

MILITARY LEAVE

The purpose of this order is to set forth Department policy and procedures regarding military leave, leaves/extended leaves of absence, pre-deployment procedures, and the process of re-instatement and re-integration upon return to City employment. For the purpose of this order, the term "Reservist" includes members of the Military Reserve, National Guard, and Coast Guard.

I. DEFINITIONS

Activities

A. Extended Military Leave

Any military leave of more than 30 consecutive calendar days.

B. Pre-Deployment

Commences upon receiving notification of military mobilization or orders to active duty.

C. Re-Instatement

The process in which returning military personnel must undergo upon return from extended military leave in accordance with the provisions of the Uniform Services Employment and Reemployment Rights Act (USERRA).

D. Re-Integration

Gradual, pre-determined steps, set by the Department, which are intended to give returning military personnel the opportunity to more effectively assume their duties within the Department following an extended military absence. This process is designed to afford the returning person an opportunity to address issues which may be associated with their extended military absence and their Department position.

Personnel

E. Military Support Committee

The purpose of the committee is to provide support, information, and assistance to any Department military member/employee going through the deployment process.

The committee is comprised of Department personnel who are stakeholders in the process of supporting Departmental military personnel. The committee shall be comprised of the following personnel:

1. Personnel, Training, and Technology Division Commander (Chairperson);
2. Veterans Affairs Officer;
3. Peer Support Coordinator;
4. OPOA Representative;
5. Training Section Representative;
6. Select current/former military service personnel; and
7. Department's mental health professional.

F. Military Support Sponsor (MSS)

A Department member or employee who has been designated by the military employee to serve as a liaison between the deployed person and the Department during his/her absence. The MSS shall serve to assist in the care and oversight of the deployed person's family and personal matters should the need arise during the person's military absence. This shall not be construed as giving the MSS any legal authority to act in the deployed person's stead unless it has been otherwise provided for in proper legal documentation.

G. Veterans Affairs Officer (VAO)

A Department member or employee, designated by the Chief of Police, to act as the Department's advisor on military affairs and participate as a member on the Military Support Committee.

II. ELIGIBILITY TO RECEIVE MILITARY LEAVE

- A. Members and employees who have completed a minimum of one (1) full year of service with the City in accordance with the provisions of USERRA shall be entitled to receive up to 30 calendar days of paid military leave each fiscal year when they are formally ordered to report for military training, deployments, or special exercises.
- B. Members and employees who have not completed one (1) full year of service with the City and those who have already received 30 days of paid leave in a fiscal year shall be required to request an unpaid leave of absence or use their own time, vacation, or accrued overtime in order to complete their military obligations.
- C. Members and employees who have completed a minimum of one (1) full year of service with the City and are involuntarily ordered to active duty shall continue to receive military leave pay and benefits for a period of up to 90 additional calendar days.
1. This pay shall be discounted by the amount of active duty military pay and allowances received by the member or employee such that the member or employee does not receive more than his/her City base pay.¹
 2. Military leave benefits (as distinguished from military leave pay) shall be the same as those provided during the initial 30 calendar days of military leave. If necessary, members and employees may choose to continue benefits at their own expense. This can be accomplished by contacting the Personnel Section Manager.

¹ Per City Council Resolution 77044 C.M.S , the City Administrator has the authority to consult and confer with the City's employee organizations as to the practical details of calculating the appropriate amount of military leave pay provided for such that the member or employee does not receive more in combined military leave pay and active duty military pay than the City's base pay, and to resolve any disputes that arise. The City Administrator may at his/her discretion extend the additional period of military leave pay and benefits up to one (1) year (This consideration is a once in a lifetime benefit).

III. MILITARY LEAVE ADMINISTRATIVE PROCEDURES

A. Drill Weekends and Annual Tours

1. In the case of Drill Weekends, Reservists shall obtain and forward a memorandum from his/her military unit commander detailing the drill weekend schedule or any revisions to the schedule to his/her supervisor as soon as possible.

In the case of an Annual Tour, Reservists shall obtain and forward his/her military orders or any amendments to his/her supervisor as soon as possible.

2. Reservists shall ensure military leave is properly reported into the automated scheduling and staffing management system.
3. Reservists shall prepare and submit a Leave of Absence Record to his/her supervisor prior to the end of the applicable pay period, when practical.
4. Supervisors shall review and forward the Leave of Absence Record and a copy of the drill weekend schedule memorandum or other military documentation, through the appropriate chain-of-command for approval, to the Personnel Section.
5. Supervisors shall ensure that the member/employee's time sheet reflects the military leave and appropriate pay code, and any payroll corrections.
6. Supervisors shall verify that the Reservist departed for and returned from military leave on the dates he/she requested.

B. Extended Military Leave Orders

1. In the event Reservists receives extended military leave orders, the Reservist shall forward his/her military orders to their immediate supervisor.

In the event military orders are not available, the Reservist shall prepare a memorandum detailing the extended military leave to his/her supervisor as soon as possible.

2. Reservists shall prepare and submit a Leave of Absence Record to his/her supervisor in advance.
3. Reservists shall identify a Military Support Sponsor (MSS) and advise his/her supervisor and the Veteran Affairs Officer.

The Reservist and MSS shall meet with the Veteran Affairs Officer to discuss the role and expectations prior to the Reservist's departure.

4. Supervisors shall review and forward the Leave of Absence Record and a copy of the drill weekend schedule memorandum or other military documentation, through the appropriate chain-of-command for approval, to the Personnel Section.
 5. Supervisors shall ensure that the member/employee's time sheet reflects the military leave and appropriate pay code, and any payroll corrections prior to transfer to the Personnel Section.
 6. Supervisors shall verify that the Reservist departed for and returned from extended military leave on the dates he/she requested.
- C. Unit commanders/managers may request that a Reservist reschedule a Drill Weekend or Annual Tour date to accommodate the operational needs of their Departmental unit.

IV. PERSONNEL SECTION RESPONSIBILITIES

- A. The Personnel Section shall, upon receiving a request for extended military leave:
 1. Arrange a meeting with the Reservist to:
 - a. Ensure a copy of the Reservist's military orders have been received;
 - b. Ascertain the Reservist's military pay rate; and
 - c. Ensure the Reservist has prepared and submitted his/her time sheets for the pay period(s) prior to being transferred to the Personnel Section (15 consecutive calendar days).

2. Verify eligibility for paid extended military leave.
 3. Ensure Departmental payroll records document the amounts of paid and unpaid military leave each member or employee is granted and the dates thereof.
 4. Place a copy of the Leave of Absence Record and the military orders in the member/employee's personnel folder.
- B. Personnel Section staff shall ensure members/employees on extended military leave receive pay and benefits in accordance with governing City policy and federal law.
- C. Ensure notification is sent to the person designated by the Reservist regarding any impending loss of pay and/or benefits.
- D. Ensure proper notification regarding the Reservist's extended military leave status is sent to the City Payroll Department.

V. UNIT OF ASSIGNMENT

The commander of the Reservist's regular unit of assignment shall ensure the Personnel Section is advised to transfer the member/employee, on extended military leave, to the Personnel Section after 15 consecutive calendar days.

VI. RE-INTEGRATION FOLLOWING EXTENDED MILITARY LEAVE

The purpose of re-integration is to assist Reservists, returning from extended military leave, to successfully resume their career in law enforcement.

Upon return to the Department, the Reservist shall be assigned to the Training Section for a time period to be determined by the Personnel, Training and Technology Division (PTT) Commander, in order to facilitate the Reservist's re-integration.

A. VAO

Upon receiving notification of his/her release from extended military duty, the returning Reservist shall notify the VAO of their pending return to the Department. The VAO shall:

1. Ensure the Personnel Section is notified of the impending return of the Reservist.
2. Ensure the Reservist has made an appointment with the Departmental Mental Health Professional.
3. Create a re-integration file for the Reservist to include, but not limited to, the following:
 - a. DD 214;
 - b. Any awards and/or military performance reviews received while on extended military leave; and
 - c. Re-Integration Checklist (TF-3320).
4. Forward the completed file to the PTT Commander.

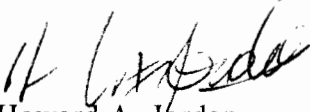
B. Personnel, Training, and Technology (PTT) Division Commander

The PTT Division Commander shall:

1. Notify the chain-of-command to which the Reservist is to be assigned of the anticipated date of return.
2. Ensure a Re-Integration Checklist has been completed, to include attestation signatures and completion dates, prior to the Reservist returning to his/her unit of assignment:
 - a. Training requirements to include, at a minimum, the following topics:
 - 1) Continued Professional Training;
 - 2) Firearms qualification;
 - 3) UOF Training;
 - 4) Electronic weapon certification/recertification, if necessary;
 - 5) Briefing of Department's current goals and objectives;
 - 6) Required policy updates; and
 - 7) Technology/equipment updates and training.

- b. Administrative requirements to include the following:
 - 1) Attendance to a meeting with Departmental mental health professional;
 - 2) Payroll (FSD);
 - 3) Submit DD 214 to CalPERS; and
 - 4) Update Emergency Notification form (to Personnel).
 - c. Issue of new Department equipment or re-issue of Department equipment turned-in prior to departure.
- 3. Prepare and forward a written notification through the chain-of-command to the bureau deputy chief that the Reservist has completed the re-integration process and the date that the Reservist is to report for duty.
 - 4. Forward the reviewed re-integration file to the Personnel Section for inclusion into the permanent personnel file.

By order of


Howard A. Jordan
Acting Chief of Police

Date Signed: 26 MAY 09