

# ORANGE COUNTY SHERIFF'S OFFICE

## SPECIAL ORDER



<b>Effective Date:</b> June 5 <sup>th</sup> , 2025	<input checked="" type="checkbox"/> <b>Amends</b> NEW	<b>Number:</b> 135.0
<b>Distribution:</b> All Personnel	<b>Review Month:</b> May	<b>Reviewing Authority:</b> HRD / Employee Labor Relations
<b>Subject:</b> Military Leave Process		

This order consists of the following:

1. Purpose
2. Procedures

### 1. Purpose

This Special Order outlines the procedures the Orange County Sheriff's Office (OCSO) will follow to support and manage employees who serve in the United States Armed Forces or National Guard. These procedures ensure that OCSO remains in compliance with federal and state law while providing employees with the support, protection, and benefits they are entitled to during periods of military training or active-duty service.

The OCSO is committed to protecting the rights of employees who serve in the uniformed services. Consistent with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable Florida law, OCSO will not discriminate against any employee based on their military status. All qualifying employees will be granted leave for service, and will be reemployed with their benefits and status restored upon return.

### 2. Procedures

#### A. Notification of Military Leave

1. Employees shall submit advance notice of military service (through written orders, or equivalent paperwork from the military member's commanding officer, detailing the service period, start date, and expected return date) at least 30 days prior to military leave, or as soon as possible when advance notice is not feasible.
  - a. The notice must be emailed to [SO-HR-Military@ocsofl.com](mailto:SO-HR-Military@ocsofl.com).
  - b. The employee must also copy two levels of their chain of command.
2. If the military activation will exceed 60 days, the employee must contact Personnel Services to schedule an out-processing deployment meeting.
  - a. During this meeting, the employee will review deployment logistics including orders, benefits, leave, contact preferences, and power of attorney.
  - b. The employee must complete the Employee Check-Out Sheet to verify that all relevant departments have been contacted.
  - c. In cases of short notice or deployment extensions, the employee must coordinate with their supervisor or chain of command to return any agency-issued property and equipment to Supply.

B. Military Training Leave (Non-Deployment)

**\*\*Does not apply to Florida State Guard\*\***

1. Eligibility and Leave Status
  - a. Employees are entitled to up to 240 working hours of paid military training leave per calendar year, used either consecutively or intermittently.
  - b. While on paid military training leave, the employee's status remains A1 (Active, full-time employee) and they retain their current supervisor assignment.
2. Personnel Services Function
  - a. Once notified by Payroll that the 240-hour limit is reached, Personnel Services must change the employee's status to either L1 or L3 (Military Leave – No Pay).
  - b. Personnel Services must then generate a Personnel Change Notice (PCN) and submit it to Payroll.
3. Payroll Function
  - a. Payroll shall monitor and track employees 240 military training leave hours.
  - b. Upon reaching the limit, Payroll shall notify Personnel Services, Benefits, and Payroll Management via email.
  - c. Payroll shall stop contributions to the Florida Retirement System (FRS) and discontinue leave accruals.
  - d. Payroll shall apply only the minimum amount of leave needed per pay period to maintain the employee's benefits.
4. Benefits Function
  - a. Upon the employee's return, the Benefits Unit shall provide guidance regarding the FRS buyback process.
  - b. The employee may initiate the FRS buyback immediately or at any time before retirement by contacting FRS directly.
  - c. If benefits were suspended, COBRA notifications will be sent.
  - d. The employee may choose to use vacation leave to continue voluntary benefits.

C. Military Deployment (Non-Combat)

**\*\*The following applies only if deployment is 90 days or greater OR for Florida National Guard and Florida State Guard deployments for named events, a declared disaster or operation (Pursuant to FSS)\*\***

1. Personnel Services Function
  - a. Personnel Services shall initially change the employee's status to L2 (Leave of Absence with Pay/Benefits) and the employee's User Level to 7035 and reassign the supervisor to the Payroll Manager.
  - b. A PCN shall be completed and sent to Payroll to reflect this status.
  - c. After 30 days, the employee's status shall be updated to L1 or L3 (Leave of Absence – No Pay), and a second PCN shall be generated and sent to Payroll.

2. Payroll Function
    - a. Payroll shall enter time to provide the employee with full pay for the first 30 days of military deployment.
    - b. After the 30-day period, Payroll shall stop FRS contributions and leave accruals.
    - c. Payroll shall calculate and apply the minimum amount of leave required to maintain benefits if the employee earns more in the military than at OCSO.
    - d. Payroll shall manage any required deductions for garnishments or Vanguard loans.
  3. Benefits Function
    - a. Upon return from deployment, Benefits shall assist the employee with initiating the FRS buyback process.
    - b. If benefits were stopped, COBRA notifications shall be issued.
    - c. The employee may elect to continue voluntary benefits using available vacation leave.
- D. Military Deployment (Combat, War-Time, or National Emergency)  
**\*\*Does not apply to Florida State Guard\*\***
1. Personnel Services Function
    - a. Personnel Services shall initially change the employee's status to L2 (Leave of Absence with Pay/Benefits) and the employee's User Level to 7035 and reassign the supervisor to the Payroll Manager.
    - b. A PCN shall be completed and sent to Payroll to reflect this status.
    - c. After 30 days, the employee's status shall be updated to L1 or L3 (Leave of Absence – No Pay), and a second PCN shall be generated and sent to Payroll.
  2. Payroll Function
    - a. During the first 30 days, the employee will receive full pay.
    - b. After 30 days, Payroll shall evaluate whether the employee's military base pay is less than their OCSO salary.
    - c. If a pay gap exists and the military base pay is less than the employees OCSO salary, Payroll shall ensure the employee receives differential pay to cover the difference.
    - d. OCSO salary for this calculation includes education incentives, longevity pay, deputy first class, master classification, and the employees current pay as it relates to their paygrade. It does not include specialty pay, shift differential, or off-duty pay.
    - e. Payroll shall stop FRS contributions and leave accruals and ensure only necessary leave is used for benefits.
    - f. Payroll shall complete the DPR-100M form for FRS buyback processing.
  3. Benefits Function
    - a. Upon return from deployment, Benefits shall assist the employee with initiating the FRS buyback process.
    - b. If benefits were stopped, COBRA notifications shall be issued.

- c. The employee may elect to continue voluntary benefits using available vacation leave.
- E. Reemployment and Return from Leave
  - 1. Eligibility for Reemployment
    - a. Employees must have left employment for military service and provided appropriate advance notice unless exempted.
    - b. The employee's cumulative military service must not exceed five years.
    - c. The employee must have been discharged under honorable or non-disqualifying conditions.
    - d. Employees must request reemployment within timelines defined by USERRA based on their length of service.
  - 2. Requesting Reemployment
    - a. The employee must email [SO-HR-Military@ocsofl.com](mailto:SO-HR-Military@ocsofl.com) to request reemployment.
    - b. If the employee's military service was 30 days or less, the employee must report to work for the next scheduled regular workday, plus 8 hours of rest.
    - c. If the employee's military service was 31 to 180 days, the request for reemployment must be made within 14 days of their military service ending.
    - d. For service exceeding 181 days, the request must be submitted within 90 days.
  - 3. Personnel Services Function
    - a. Personnel Services will coordinate a return-to-duty meeting with the employee and obtain a copy of the employee's DD214.
    - b. All reentry logistics, including physicals, equipment, and assignments, will be managed by Personnel Services.
    - c. For leave exceeding 60 days, the Employee Check-In Sheet must be completed.
  - 4. Training Section Function (Sworn Personnel)
    - a. If the employee's law enforcement certification has lapsed, the employee will be assigned to FTEP.
    - b. FTEP shall ensure all required training is completed, including weapons qualifications, LEVO, and policy updates.
    - c. Once certified, the employee will be reassigned to their original assignment.
    - d. The Training Section Commander will determine if additional training is necessary.
  - 5. Documentation and Compliance
    - a. The agency may request proof that the employee meets the conditions of timely return, has not exceeded allowable service time, and was not disqualified from reemployment.

- b. The employee may be required to pass a physical and/or psychological evaluation.
- c. The agency may mandate refresher training to ensure the employee possesses the necessary skills for their position

F. Contact Information

- 1. Military Leave / Personnel Services – [SO-HR-Military@ocsofl.com](mailto:SO-HR-Military@ocsofl.com)
- 2. Benefits Unit – [so-benefits@ocsofl.com](mailto:so-benefits@ocsofl.com)
- 3. Payroll Unit – [so-as-payroll@ocsofl.com](mailto:so-as-payroll@ocsofl.com)