

## PERSONNEL MANAGEMENT

### MILITARY DEPLOYMENT AND REINTEGRATION

**Purpose:** The purpose of this policy is to establish guidelines for North Little Rock Police Department members leaving for or returning from National Guard or Reserve training and/or active duty assignments, including peacekeeping, humanitarian, disaster relief and combat operations. This policy is inclusive of all branches of service (Army, Navy, Air Force, Marines, and Coast Guard).

**Policy Statement:** The department will accommodate those members who serve in the U.S. Armed Forces by allowing them leave for periods of training and active duty. General leave of absence may be granted to members under certain circumstances. It is the intent of the North Little Rock Police Department to assist members returning from extended National Guard or Reserve training and/or active duty. This policy conforms to City of North Little Rock Administrative Personnel Policies and Procedures, Arkansas Statutes 21-4-102 and 12-62-413, and the United States Employment and Reemployment Rights Act (USERRA), which have not been included in their entirety. For complete information on specific details, it will be necessary to consult the City Policies, Arkansas Code or USERRA provisions. If there is any conflict between policy and law, the law will prevail. If there is a conflict between Arkansas Statutes and USERRA's provisions, USERRA will prevail. Returning members will receive refresher training commensurate with their length of deployment.

#### Summary of Changes:

#### Definitions:

**USERRA:** Uniformed Services Employment and Reemployment Rights Act

**TDY:** Military Temporary Duty.

**Combat Theater:** Any area of military operations which the federal government deems to involve combative activities.

**EAP:** Employee Assistance Program.

**DD Form 214:** Documentation of release from military active duty.

#### 1 Procedure:

- 1.1 The department will accommodate those members who serve in the U.S. Armed Forces by allowing them leave for periods of active duty. General leave of absence may be granted to members under certain circumstances. The department will comply with all applicable state and federal laws regarding the granting of leave for service in the U.S. Armed Forces. Members should contact the City of North Little Rock Human Resources director for pre and post deployment processing. [CALEA 22.1.9b]
- 1.2 It is the intent of the North Little Rock Police Department to assist department members returning from extended National Guard or Reserve training and/or active duty. Returning members will be afforded all rights provided by USERRA. Returning members will also receive refresher training commensurate with their length of deployment.
- 1.3 Members who are members of the National Guard or a branch of the military reserve will be allowed paid military leave for active duty or other duties performed in an official duty status.
  - 1.3.1 Any member who is a reservist or member of the National Guard who desires or is ordered to participate in the military training programs made available by the National Guard or any of the reserve branches of the armed forces shall be entitled to a paid leave of absence for a period of 15 days plus necessary travel time for annual training requirements or other duties performed in an official duty status in any one (1) calendar year. Necessary travel time is calculated based on the authorized mode of travel listed on the member's orders and the Official Table of Distances published by the federal government.
  - 1.3.2 To the extent this leave is not used in a calendar year, it will accumulate for use in the succeeding calendar year until it totals 15 days at the beginning of the calendar year for a maximum number of military leave days available in any one (1) calendar year to be 30 days. The member shall be entitled to their regular salary during the time away from departmental duties during such leave of absence. Such leave of absence shall be in addition to regular vacation time, compensatory time, or discretionary days allowed the member.
  - 1.3.3 A member who is scheduled to attend drill during scheduled work days may elect to count this time towards meeting the allotment mentioned above. After a member has exhausted the allotted military paid leave days in a calendar year, any participation in annual training programs or assignments shall be considered as leave without pay for the remainder of that calendar year, unless the member opts to use available paid regular vacation time, compensatory time, or discretionary days.
  - 1.3.4 Members called to duty in emergency situations by the Governor or by the President shall be granted leave with

pay not to exceed 30 working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave the member shall be entitled to. "Emergency situations" as defined by Arkansas Statutes § 21-4-212(e), are "any case of invasion, disaster, insurrection, riot, breach of peace, or imminent danger thereof, threats to the public health or security, or threats to the maintenance of law and order."

- 1.3.5 During a military leave of absence, the member shall be entitled to preserve all seniority rights, efficiency or performance ratings, promotional status, retirement privileges, life and disability insurance benefits, and any other rights, privileges, and benefits to which the member has become entitled.
- 1.3.6 When possible, members will be permitted to work their days off to make up for unpaid military leave and allow them to work a full week.

## **2 Member Responsibilities When Leaving for Military Duty**

2.1 Members leaving for training or other official duties are expected to provide their supervisor:

- 2.1.1 The unit of assignment, name of the officer or non-commissioned officer in charge, and the unit's telephone number.
- 2.1.2 A copy of the unit's drill schedule within 10 days of receiving the scheduled drill dates and at least 30 days prior to the drill dates.
- 2.1.3 Written notification of expected annual training dates and any other expected active duty dates within three (3) days of the member receiving notification, but not less than 60 days prior to the training or active duty dates. Members will be required to provide written justification for failure to provide notice of annual training or active duty if notice is not provided 60 days prior to the required dates off. The member's supervisor may contact the member's military commander to verify the date the member was notified of the military duty.
- 2.1.4 A copy of the member's certified military orders or other acceptable proof of completion of military duty. The member's supervisor is authorized to contact the member's military commander to verify the member's attendance at military duty.

2.2 Members leaving for military duty other than weekend drills will contact payroll and provide a copy of military orders and to discuss time off and other payroll issues. [CALEA 22.1.9c]

2.3 The department recognizes that military orders are not prepared or provided until a short time before military duty is to be performed. The department also recognizes that military officials may make changes which affect work schedules of the department.

- 2.3.1 The department expects each member to notify his or her supervisor of the latest schedules of duty and changes to existing duty schedules.
- 2.3.2 Disciplinary action will never be taken against a member for performing required military duty.
- 2.3.3 Disciplinary action may be taken for failure to reasonably notify a supervisor in writing of:
  - 2.3.3.1 Dates of military duty,
  - 2.3.3.2 Changes in dates of military duty, or
  - 2.3.3.3 Failure to attend military duty when on military leave.

2.4 Notification is considered reasonable if it occurs within three (3) days of the member being notified by the military.

2.5 The department supports those members who serve in the Armed Forces, but adequate staffing must be first priority.

- 2.5.1 On some occasions it may be necessary to request members to schedule make-up drill dates on their regular days off.
  - 2.5.1.1 The member's supervisor is authorized to contact the member's military commander to request the member be excused from military duty when staffing levels require.
  - 2.5.1.2 If the military requires the member to attend the military duty, the member must be allowed leave to attend.

2.6 It is advised a member provide their division commander and the payroll clerk with an email address and other contact information. This will allow contact with co-workers as well as the department being able to share pertinent information or request needed information. [CALEA 22.1.9a,g]

2.7 Members deploying more than 30 days will return to the department all assigned vehicles, weapons, chemical agents, radios, computers (with accessories), cell phones, and cameras prior to deployment. Uniforms, gun belts, body armor, badges, and ID cards will be stored by the officer. [CALEA 22.1.9d]

## **3 Member Responsibilities When Returning from Military Duty** [CALEA 22.1.9e]

- 3.1 All members returning from deployment of any military TDY shall submit DD Form 214, if applicable, to the police department payroll clerk as soon as practical.
- 3.2 Members will submit written correspondence notifying the appropriate supervisor concerning the member's return to duty.
- 3.3 For military service of one (1) to 30 days, members will return to work:
  - 3.3.1 On the next regularly scheduled work period,
  - 3.3.2 On the first full day following completion of service, and,

- 3.3.3 Upon expiration of an eight-hour rest period following safe transportation home.
- 3.4 For military service of 31 to 180 days, members will return to work within 14 days after completion of military duties.
- 3.5 For military service of 180 or more days, members will return to work within 90 days after completion of military duty.
- 3.6 Members will be on unpaid leave from the time of release from military duty until returning to work at the police department, unless the member requests to use paid leave.
- 3.7 Members are required to fulfill all other applicable requirements as set forth in the USERRA.
- 3.8 Members must have successfully completed their period of active duty

#### **4 Training [CALEA 22.1.9f]**

- 4.1 Members returning from a military deployment of 90 days or less do not require refresher training prior to resuming their duties at the police department.
- 4.2 Members who deploy for military duty for 91 days to 180 days will receive one (1) day of familiarization training concerning any changes in departmental policies and/or state and federal laws that have occurred during their absence. This training will be conducted by training unit members.
  - 4.2.1 Following the one (1) day of familiarization training, officers will be returned to duty.
- 4.3 Members who deploy for military duty, regardless of nature, for 180 days or more will receive up to five (5) days of familiarization training, conducted by training unit members, consisting of the following:
  - 4.3.1 Departmental policies
  - 4.3.2 State and local criminal and traffic laws
  - 4.3.3 Report writing, including ADRs and other forms
  - 4.3.4 Accident report writing
  - 4.3.5 Members position updates
  - 4.3.6 Departmental programs that have been initiated during the officer's deployment
  - 4.3.7 Payroll members will conduct a briefing of new payroll and benefit changes
  - 4.3.8 City orientation
  - 4.3.9 Introduction of area commanders or their designated representatives
  - 4.3.10 Current detention procedures, policies and locations, including AFIS refresher training
  - 4.3.11 Annual/quarterly weapons qualification
  - 4.3.12 ACIC update training and re-certification, if needed
  - 4.3.13 Radar update training and re-certification, if needed
  - 4.3.14 BAC update training and re-certification, if needed
  - 4.3.15 Members will receive refresher training with the department's current EAP representative in order to cover any modifications of the current plan.
- 4.4 Following the four day familiarization at the department's training facility, each officer will complete a two (2) day ride-along with a senior patrol officer in their respective zone for familiarization.
- 4.5 Returning members not scheduled to return to the patrol division will receive additional training related to their field. This training will be in lieu of the two (2) day ride-along.

#### **5 Employer Responsibilities**

- 5.1 A member whose military service lasted from one (1) to 90 days will be assigned to the job the member would have held had the member remained continuously employed at this Department, provided said member is qualified or can become qualified for the job.
- 5.2 If the period of military leave is in excess of 90 days, the member will be assigned the job in which the member would have held had the member been continuously employed, or a position of similar seniority, status and pay, provided member is qualified or can become qualified for that position.
- 5.3 In all cases, members returning from military leave will be entitled to all seniority, privileges and status as if the member were never absent from the workplace.
- 5.4 Any deviation from this policy will be at the sole discretion of the Chief of Police provided such deviation is not in conflict with Arkansas statute and USERRA.