	ANDOVER POLICE DEPARTMENT GENERAL ORDER	Number: M1220 Page: 1 of 7 Distribution: All
Title: MILITARY DEPLOYMENT AND RE-ENTRY		Section: Administration
Issued: 01/25/2011	Effective: 02/02/2011	Revised: 1/22/2016
Rescinds: All Previous	Amends:	
CALEA References: 22.2.1f, 22.2.8		
Review: Annual	Authority: Chief Michael A. Keller	

I. Purpose

The purpose of this General Order is to provide guidelines concerning the department's and employee's rights and responsibilities when the employee performs duties as part of the Uniformed Services of the United States; and to provide a comprehensive deployment plan to ensure that all department members who are called to active military service have a successful re-entry into civilian policing upon return from active military service.

II. Policy

The Andover Police Department is committed to supporting employees in the Uniformed Services of the United States. In accordance with federal and state law, it is the department's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of the person's membership in or obligation to perform services for any of the Uniformed Services. Specifically, no person will be denied employment, reemployment, reinstatement, promotion, or any other benefit on the basis of such membership.

Additionally, during times of active military service, the department will strive to provide the appropriate support to the deployed member and their family members prior to and during the period of deployment, and to provide an effective reintegration to civilian law enforcement duties once the deployment has ended.

III. Definitions

A. **Short-Term Military Leave:** Any military leave up to 30 days.
B. **Extended Military Leave:** Any military leave for any period over 30 days and up to 5 years.
C. **On-the-Job Refresher Training:** Training provided to a member returning from extended leave where the returning member works a normal shift while paired with another officer. The purpose of the training is to assist the member with reintegration to a civilian police role by having an experienced member with them during the transition.
D. **Point of Contact (POC):** The department member assigned to be the point of contact between the department and the deployed member, and between the department and deployed member's family. The POC should, if available, be an individual who has previous deployment experience and be able to address issues regarding medical, financial, and morale issues.

E. **Uniformed Services:** Any branch of the Armed Forces, the Army National Guard, and the Air National Guard, when engaged in active duty for training, inactive duty for training, or full-time National Guard duty; the commissioned corps of the Public Health Service, and any other category of persons designated by the President of the United States in time of war or national emergency.

IV. Regulations

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V. Procedures

A. Military Leave

1. A military leave of absence will be granted to all members who are absent from work because of service in the United States Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).
2. Advance notice of military leave is required, unless military necessity prevents such notice or is otherwise impossible or unreasonable. The notice may be made orally or in writing, and should be made as soon as such orders have been received by the member.
3. Military leave will be unpaid, however, members may use any available paid time off (other than sick leave) for the absence.
4. When a sworn member goes on extended military leave, the Chief of Police shall submit a "Notice of Termination or Status Change" form to the Kansas Commission on Peace Officers' Standards and Training indicating the member has separated from employment because of military leave.
5. Sworn members on extended military leave will not be required to fulfill the annual training hours required by Kansas law of all certified full time police officers.

B. Benefits

1. Members who are eligible for health insurance benefits retain, as if they were not absent, those rights during military leave but will be required to pay the member's and the City's portion of the premium during extended military leave. If the member chooses to terminate or change coverage during extended military leave, they will be eligible to re-enroll without being subject to a waiting period upon their return from military leave.
2. Members will not accrue vacation or holiday time during extended military leave, however, the time on leave will be counted towards the years of service when determining future hours of vacation earned.

3. Member's time on extended military leave will count towards their years of service in the Kansas Police and Fire Retirement System.
4. Members returning from military leave will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

C. Department Property (22.2.8d)

1. Issued uniforms, identification cards, badges and duty gear will be retained by the deploying member unless the member requests the department store it for safekeeping.
2. Members on extended military leave will return their department issued firearm, Taser and portable radio to the department for safe keeping. The firearm will be secured in the department armory and will not be reissued to another member unless a department need arises. Likewise, the Taser and portable radio will be secured and will not be reissued to another member unless a department need arises.
3. Members on extended military leave will return their department issued vehicle for department use. The vehicle may be reassigned or used by other department members as necessary during extended military leave.
4. Facility and email access for deploying members will remain in place throughout the member's deployment.
5. All department issued equipment held for safekeeping will be returned to the member following their return from extended military leave.

D. Eligibility for Employment Restoration

1. A member of the Uniformed Services shall be required to meet the following criteria to be eligible for full reinstatement with the department:
   a. The member must have been in compliance with the notification requirement in V.A.2.
   b. The member's cumulative length of absence and all previous absences from a position of employment with the City by reason of their military service generally cannot exceed five (5) years. Any employee who believes that their cumulative length of absence will exceed five (5) years shall contact the Chief of Police to determine if there is a statutory exception to this general requirement. The five year total excludes certain activities such as inactive training (drill) and annual training.
   c. The member must have, at the time of discharge from active duty, satisfactorily completed their service obligations and the release/discharge must be "honorable," "general," or "under honorable conditions."
2. The member must report to, or submit an application for reinstatement to, the City in accordance with the following guidelines:

a. If military leave is less than 31 days, the member must report to work at the beginning of the first regularly scheduled work day on the first full day following completion of service and the expiration of an eight (8) hour rest period following safe transportation home. In the event it is impossible or unreasonable, through no fault of the member, to report as indicated, then the employee must report as soon as possible.
b. If the military leave is 31 to 180 days, the member must submit an application for reinstatement, orally or in writing, to the Chief of Police no later than 14 days after completion of military duty unless submitting the application is impossible or unreasonable in which case the employee may submit the application the first full calendar day when the submission of the application becomes possible.
c. If the military leave is more than 180 days, the member must submit an application for reinstatement, orally or in writing, to the Chief of Police no later than 90 days after the completion of military duty unless submitting the application is impossible or unreasonable in which case the employee may submit the application the first full calendar day when the submission of the application becomes possible.
d. Upon submitting an application for reinstatement, the employee has 30 days to report for work unless a statutory exception exists or otherwise authorized by the Chief of Police.
e. An employee who fails to report as outlined above will be treated as absent without leave and subject to disciplinary action up to an including termination.

3. Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military leave in accordance with USERRA.

E. Short-Term Military Leave (22.2.1f)

1. In the event that a member's monthly drill (battle assembly) creates an undue hardship on a division's staffing, it is within the Division Commander's rights to request the employee to ask for the drill be rescheduled or the Division Commander may contact the member's military chain of command to see if an agreed upon solution may be worked out.
2. If the military commander determines that the military duty cannot be rescheduled or canceled, the Division Commander is required to permit the employee to perform his or her military duty.
3. Members with monthly drill and annual training obligations should provide their supervisors with their weekend and annual training schedules as soon as they are published.

F. Extended Military Leave

In cases where a member receives orders for extended duty with the Uniformed Services, the department should consider the following:

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1. The employee's Division Commander or designee will ensure that the deploying member is assisted with completing the following tasks:
   a. Meeting with the City of Andover Human Resource department to determine how vacation/holiday time will be used, status of insurance, etc. (22.2.8b);
   b. Addressing scheduled court and training commitments;
   c. Meeting with the Chief to clarify status upon return, eligibility for promotion and specialized assignments while deployed, and securing a Kansas CPOST Notice of Termination or Status Change Form (22.2.8c);
   d. Meeting with the Range Master to secure the member's firearm for safe keeping;
   e. Providing a copy of the member's military orders (mobilization and deployment). These orders are critical in determining anticipated length of service, and as an alternative means of contacting the member while on active duty.
   f. Providing current military unit of assignment information to be used to maintain contact with the member until they can advise the department of their location and contact numbers. This is even more critical for those members whose military duties are classified (22.2.8g).
   g. Providing the contact information for the deploying member's military unit family support group to ensure the department is working effectively and coordinating efforts with the military (22.2.8g).
   h. Verifying and updating the member's personal information, specifically the emergency contact numbers.
   i. Turning in the member's department issued vehicle; and
   j. Determining who the member's department point of contact (POC) and alternate POC will be.
2. Upon completion of the above tasks, the information collected and the completed Military Deployment Worksheet (APD FORM 17) will be electronically stored in a department approved software database.

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3. It is the responsibility of the deploying member's Division Commander or designee to assure quality communication with the deploying member and his/her family through a single POC and an alternate POC. If possible, the department POC and alternate POC should be a member with previous military deployment experience, and a person approved by the deploying member. The POC and the alternate POC will be determined and contact initiated prior to deployment (22.2.8a).
4. Supervisors should be sensitive to the need for deploying members to take leave prior to deployment to satisfy family and personal logistics of deployment

and make accommodations for the member as necessary. All members of the department should embrace a central theme of flexibility with a deploying member's request for leave to address family and pre-deployment matters.

5. The POC should obtain an email or other addresses where the deploying member may be contacted during deployment and distribute the address to the other members of the department. All employees are encouraged to send correspondence/care packages to the deployed member (22.2.8g).

G. During Deployment Considerations

In cases where a member is on extended duty with the Uniformed Services, the department should consider the following:

1. The person designated as the department POC for the deployed member should contact the deployed member's family at least monthly and ensure assistance is obtained for the family as necessary.
2. The designated POC will ensure that a deployed member's family is invited to all department/City events that welcome family participation.
3. The department POC will maintain copies of all changes to policies, legal updates, and other department issues for the reintegration briefing.
4. The deployed member should update the department POC regarding any changes to deployment orders and other changes in military status.
5. If the department POC leaves employment with the department, or otherwise is unable to perform the above described duties, the alternate POC will assume the duties.

H. Post Deployment Considerations

In cases where a member returns from extended duty with the Uniformed Services, the department should consider the following:

1. The Chief of Police or agency representative(s), should, if possible, be present for the member's return ceremony, which is also referred to as the "off-the-bus greeting" or "official release from duty ceremony."
2. The POC should address administrative needs proactively prior to the deployed member's return (agency email/password updates, equipment, pay/employment status discrepancies) in an effort to relieve the member of these burdens.
3. The member will meet with the Chief of Police upon returning (22.2.8e).
4. Members returning from a deployment that qualified for imminent danger pay will attend one mandatory meeting with a PTSD-trained counselor or therapist within 60 days upon returning to duty to assess any individual or family support needs. Other returning members may meet with a PTSD-trained counselor or therapist at their discretion.

5. A member's spouse may also meet with a PTSD-trained counselor or therapist at their discretion.

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6. The returning member's Division Commander or designee is responsible for a reintegration briefing of all changes to policies, legal updates, and other department issues that occurred during deployment.

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7. The Division Commander or designee is responsible for on-the-job refresher training of at least two weeks, and more if necessary, to assist the member with reintegration to a civilian police role. When feasible, such on-the-job refresher training should be conducted by an experienced officer or supervisor who has previously been called to active military service and the length and content of the training should be flexible based on the needs of the returning member (22.2.8f).
8. Before returning a member to full duty status following extended military leave, the member will receive training in critical skills, including (22.2.8f):
   a. Weapons familiarization and qualification (lethal and less-lethal);
   b. Use of force policy review;
   c. FATS, MILO or other use of force judgment training;
   d. Driver training refresher;
9. Members must submit their "Separation from Active Duty" papers upon return to the Department for periods of military service over 30 days. It is important to note that under USERRA, employees may lose their right to reemployment if the period of service is under dishonorable conditions. The separation papers will validate the employee's length of service and the conditions of service.