

## 19.103 MILITARY LEAVE

### **References:**

Procedure 19.105, Sick/Injured with Pay and Special Leaves  
Fraternal Order of Police/City Labor Agreement  
City of Cincinnati Human Resources Policies and Procedure  
Uniformed Services Employment and Reemployment Rights Act of 1994

### **Purpose:**

Establish a procedure for the use of active duty military leave.

### **Definitions:**

**Active Duty Training (ADT)** is the minimum period of active duty a reservist must perform each fiscal year to satisfy military training and participation requirements.

**Military Drill** is monthly training performed by National Guard and Reserve service members to enhance military skills and maintain individual and unit readiness in the event of mobilization and deployment.

**Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)** is a federal act which protects service members' reemployment rights when returning from a period of military service, including those called up from the National Guard or Reserves. USERRA also prohibits employer discrimination based on military service or obligation.

**Military Family Support Program (MFSP)** is a Department program established to assist officers and their family members during active duty military leave.

### **Information:**

The Department recognizes the importance of military service and the commitment of National Guard and Reserve service members employed by the Department.

In compliance with USERRA, officers using military leave must:

- Give written or verbal notice to the Department prior to leave
- Be released from military service honorably; and
- Report back to work in a timely manner

An officer who receives or has previously received a dishonorable discharge from any military service will not be eligible for protection under USERRA.

Officers returning from military leave of absence comprised of voluntary and/or involuntary service will be eligible for reinstatement to a position of like status and pay provided the employee meets all requirements of law, rules, and regulations.

**Procedure:**

- A. Military Information
  - 1. Officers must submit Form 31P, Change in Personal Information, to Personnel Section when:
    - a. Enlisting in the military
    - b. Military information changes, e.g. unit, rank, discharge date, etc.
- B. Military Drill or Active Duty Training (ADT) Leave
  - 1. National Guard and Reserve service members who have an advanced drill or ADT schedule will immediately provide their supervisor with a copy of the schedule to assist in planning for the officer's future absence.
    - a. Officers must notify their supervisor if changes occur.
  - 2. Leave and Earning Statements (LES) and CS8, Certification of Military Training Pay, must be submitted to Finance Management Section.
- C. Active Duty Leave
  - 1. As soon as specific dates are known, officers called to active duty leave must notify:
    - a. Their district/section/unit commander
    - b. Personnel Section
    - c. Finance Management Section
  - 2. Personnel Section will schedule a meeting with the officer to:
    - a. Ensure personal contact and benefit information is accurate.
    - b. Obtain current military information, e.g. unit name, rear detachment contact information, anticipated length of deployment, etc.
  - 3. Personnel Section will contact the MFSP Coordinator, who will assign a MFSP Liaison Officer to attend the meeting.
    - a. During the meeting, the MFSP officer will brief the officer about the program. Participation in the program is voluntary.
  - 4. Officers on active duty military leave may be assigned to Personnel Section based upon the length of deployment, Department needs, and their bureau commander's recommendation.
  - 5. Officers notified of an active duty military leave have the option of storing all Department issued equipment, except their Department issued identification card and firearm, in the Supply Unit. Firearms will be stored at the Target Range.

- a. Officers must arrange with Supply Unit to turn in equipment prior to their anticipated leave date.
  - b. All equipment will be stored in the Supply Unit until the officer returns from active duty leave. Firearms will be stored at the Target Range.
  - c. If an officer does not wish to store their equipment in the Supply Unit, they must ensure their equipment is stored in a secure location.
- D. Return from Active Duty Leave/Orders
1. Officers must notify Personnel Section of their anticipated return to work date within the following time frame:
    - a. For active duty less than 31 days, notify no later than 24 hours following the completed service period. Officers must also notify their district/section/unit supervisor.
    - b. For active duty service of 31 to 180 days, notify no later than 14 days after completing the service period.
    - c. For active duty service for more than 180 days, notify no later than 90 days after the completed service period.
    - d. An officer who fails to report pursuant to the above USERRA requirements will be treated as absent without leave and is subject to the Department's disciplinary process.
  2. Officers must submit copies of their Form DD214, Military Department of Defense Certificate of Release or Discharge from Active Duty, to Finance Management Section and Personnel Section, prior to returning to the Department. The Form DD214 ensures criteria for protection under USERRA has been met.
  3. Officers must attend training to review:
    - a. Firearms
    - b. Defensive Tactics
    - c. Pursuit driving and policies
    - d. Use of Force
    - e. Any operating procedures initiated during their absence
    - f. Any other necessary training as determined by the officer and Training and Development Section.
      - 1) The Training and Development Section Commander will determine the type and amount of training needed based on the duration of active duty leave and Ohio Peace Officers Training Academy requirements.

## E. Available Resources for Veterans

1. Early intervention is the key to reducing combat stress. Supervisors should be cognizant that “combat stress” may occur in military members returning from active duty in a combat zone and should be observant of the following indicators:
  - a. Anger
  - b. Irritability
  - c. Difficulty concentrating
  - d. Loss of confidence
  - e. Depression
  - f. Isolation
  - g. Fear
2. Department Peer Support Program
3. Department Military Support Group
4. Public Employees Assistance Program  
513-421-7600
5. Police Psychologist  
513-961-7066
6. Cincinnati VA Medical Center  
3200 Vine Street  
513-861-3100
7. Local United States Department of Veteran’s Affairs Office  
801B W. 8th St. Suite 126  
513-763-3500
8. Hamilton County Veteran’s Commission  
230 E. 9th Street Rm. 1100  
513-946-3300
9. Warrior Point Incorporated  
[www.warriorpointe.org](http://www.warriorpointe.org)