

MILITARY LEAVE

10001.1 PURPOSE

This procedure establishes guidelines for the use of Military Leave in compliance with the Military and Veterans Code, the Santa Ana Municipal Code, and the Memoranda of Understanding with employee bargaining units.

10001.2 DEFINITIONS

- A. Military Leave: Temporary leave of absence from public employment for military duty.
- B. Active Duty: Military duty ordered for annual active military training or being deployed for an extended period of time.
- C. Inactive Duty: Regularly scheduled reserve drill periods (e.g. weekend drill).
- D. Calendar Days: A period counting all days (e.g. January 5th to February 5th).

10001.3 BACKGROUND

Since the events of September 11, 2001, military reservists being recalled to active duty have increased. These recalls from the ready reserve force vary from assignment and duration. The Santa Ana Police Department recognizes and supports the needs of our nation by having a viable military reserve program in place to support its employees who are in the armed services. The Department has, and will continue to, support the military reserve program by complying with the relevant federal, state, and local regulations.

10001.4 POLICY ON ACTIVE DUTY

- A. Full-time employees, who have been employed with the Department for a minimum of one year, qualify for paid military leave for a maximum of 30 calendar days per calendar year.
- B. An employee who is ordered into active military service shall notify their supervisor and the Military Liaison Officer as soon as possible. The employee shall provide a copy of the military orders to their supervisor and to the Military Liaison Officer. It is the responsibility of the supervisor to forward the orders to the appropriate commander. The Military Liaison Officer will be responsible for submitting the orders to the Human Resources Division and to the City Personnel Division for processing. The Military Liaison Officer will assist the employee in meeting all necessary administrative requirements prior to the employee's departure to active military service.
- C. The employee who is ordered to annual active military duty such as; "Annual Training" will immediately provide a copy of the original written orders, or evidence of required military duty along with an attached non-regular time report (chit) requesting military days off. The military days requested will be for calendar days which will include the employee's normal days off.

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- D. The affected supervisor will review the military orders and the days off requested to ensure that the employee has enough military leave time on the books to account for the leave requested. If the employee does not have enough military time on the books, the employee will have the option to use other time accrued such as, vacation or holiday time or take the option to receive unpaid days off.

10001.5 POLICY ON INACTIVE DUTY

- A. The Department will accommodate inactive duty assignments (e.g., scheduled weekend drills) by allowing an employee to take up to thirty calendar days of paid active duty leave. The employee who is ordered to inactive military duty will immediately provide a copy of the original written orders, or evidence of required military duty along with an attached non-regular time report (chit) requesting military days off. The military days requested will be only for the days in which the employee is actually away from the department during their normal duty day. It is the responsibility of the supervisor to inform the affected commanders of the employees pending military duty.
- B. An employee will not be given any more than 30 calendar days military time (per SAMC 9-144) unless the employee is recalled for longer periods. If this occurs, the procedures as described earlier in this order will apply. In addition, the Department will allow an employee to attend inactive duty drills by changing an employee's days off or allowing the use of earned leave time (e.g., time off, vacation, holiday, etc.). If no earned leave time is available, or if the employee so elects, the Department will allow the employee to take time off without pay.

10001.6 PROCEDURES FOR REQUESTING MILITARY LEAVE

- A. Members shall submit requests (Chits) for Military Leave to their immediate supervisor before the deadline specified, by the Scheduling Commander, for the affected deployment period.
- B. If the requesting member has exceeded their available Military Leave, they may complete a request for time off using time from their Time-Off or Holiday banks. The member shall note in the narrative section of the Chit that the requested time off is the result of military duty. The member shall submit the Chit to their immediate supervisor before the deadline specified by the Scheduling Commander. The immediate supervisor will approve the time off, enter it into ISE, and forward the Chit to the Scheduling Commander.

10001.7 REFERENCES

Section 395.01 of the California Military and Veterans Code

Senate Bill 1950 that modifies Section 395

Title 38, United States Code, Chapter 43

Uniformed Services Employment and Reemployment Rights Act (USERRA)

Section 9-144 of the Santa Ana Municipal Code

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POA Memorandum of Understanding