

RENO POLICE DEPARTMENT GENERAL ORDER

This directive is for internal use only and does not enlarge this department's, governmental entity's and/or any of this department's employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

Chief of Police: Steve Pitts /s/		
Approving Deputy Chief: Thomas Robinson V /s/		
General Order No: E-220-05	Issued: January 4, 2006	Revised: May 20, 2013
General Order Title: LEAVE		

I. POLICY

Employees of the Reno Police Department are unique and valuable assets. An employee's family life has a direct influence on their work performance and as such is an extension of that person. The department, in support of its employees and their families, provides family leave, sick leave and military leave.

Use of family and military leave as specified by this general order, regardless of whether taken with or without pay, will not result in loss of the employee's internal seniority status for shift bid purposes. Use of sick leave will be managed according to employee contracts. (Revised 12-7-05)

II. DEFINITIONS

Family Leave (FMLA - 1993)

In accordance with the Family Medical Leave Act (FMLA) of 1993, an employee is granted 12 work-weeks of unpaid leave during any 12 month period for one of the following reasons:

- Birth of the employee's child or placement for adoption or foster care of a child with the employee;
- To care for an immediate family member (spouse, child, parent) who has a serious health condition; or
- For an employee's own serious health condition. A serious health condition is defined as a medical condition that makes the employee unable to perform one or more of the essential functions of his/her position.

Eligibility requirements and approval for FMLA will be handled by Command Staff and the City of Reno Human Resources Department. Any reduced/intermittent leave must

be approved by the Chief or his designee.

III. **PROCEDURES**

A. Family Leave Procedures

1. The employee may use none, some, or all of their sick leave, comp time, vacation time, personal time, and/or leave without pay for family leave purposes. The employee's job classification and pay-grade will be maintained for the duration of the leave. Employees using leave under FMLA, whether paid or unpaid, will be required to specify the leave as FMLA leave on their time cards.
2. Requests for leave must be submitted in writing, through the employee's chain of command. Employees are encouraged to request leave in advance of actual time taken. Requests should include the following:
 - Type of leave requested.
 - Reason for requested leave
 - Intended leave usage (sick, comp, vacation, etc.)
 - Anticipated leave and return dates
 - Requests for intermittent/reduced leave
 - Any other special considerations

All requests for leave taken in compliance with FMLA will be submitted to, and final approval received from, the City of Reno Human Resources Department.

3. It is incumbent upon the employee to notify the department, in writing, as soon as pregnancy has been confirmed by a physician; and/or when use of FMLA leave is requested. In cases of pregnancy, the notification will be accompanied by a certificate from the employee's physician stating that the physician has reviewed the job specifications for the employee and that it will not be injurious to her health or the health of the expected child for her to continue working. Commencing with the sixth month of pregnancy, the employee will furnish monthly certification from her physician indicating that she is capable of performing all of her duties.
4. Upon notification of an officer's pregnancy, the department will make every reasonable effort to remove her from field duties and provide a temporary, light-duty, non-uniform assignment. This re-assignment will be treated as a temporary medical disability. The employee has the option of remaining in the field. The employee must obtain a statement from her physician clearing her to remain in field-duty status. If the

employee chooses to remain in the field, she will also be required to present a monthly certification statement from her physician indicating she is capable of performing the field duties expected of a police officer and that the hazards *e.g.*, physical confrontation, environmental, etc. associated with such duties do not pose a health risk to the expectant mother and/or child. An employee with a physician statement will be excused from firearms qualifications and other training which could be injurious to her health or the health of the expected child.

5. If a suitable position for the employee cannot be found within the employee's division, the option of a temporary transfer to another division will be made available. At the conclusion of leave, the employee will be able to return to the same job or a job with equivalent status, pay, benefits and other employment terms. The position will be the same as before, or a position that entails relatively equivalent skills, effort, responsibility and authority.
6. If an employee chooses, he/she will be allowed to participate in the normal, scheduled shift bid applicable to their anticipated return date. If an employee returns in the middle of a shift bid, and did not bid for a shift, they may be administratively assigned to a non-uniformed temporary duty (TDY) assignment for the remainder of the bid (not to exceed one year).
7. Before returning to regular assignment and duties, an employee returning from leave for maternity or for their own serious health condition, will provide a physician's certificate indicating their ability to handle regular full time duties.
8. The employee's division commander will determine whether satellite PTO familiarization may be required before resuming a sworn position. Employees are excused from attending in-service training during leave.

B. Sick Leave Procedures

Employees' Responsibilities:

1. An employee may use accrued time as explained within their contract. The employee's job classification and pay-grade will be maintained without regard to contractual sick leave usage.
2. Long term injury or illness that allows a light duty status request will be honored if possible. If a suitable position for the employee cannot be found within the employee's division, the option of a temporary transfer to another division will be made available if feasible. An employee in a light-duty status is prohibited from participating in situations requiring

police action.

3. Employees will be allowed to participate in the normal, scheduled shift bid applicable to their anticipated return date. They may participate in the bid if their light-duty status might be removed within the bid period.
4. Employees reporting sick leave must contact their division at least one half hour prior to their assigned shift, or in the case of sworn personnel, the Records section. Records personnel will complete the illness/injury report and place it in the briefing basket located in the Records section, OR in the appropriate division mail slot.
5. Absence without leave for a period of five (5) days, or failure to report for duty within five (5) days following the expiration of a leave of absence, will be viewed as a constructive resignation. Supervisors can telephone an employee on sick leave to determine when they will be able to return to duty.
6. Employees reporting sick leave will be at home and/or provide a telephone number where they can be reached by a immediate supervisor. An employee may not work elsewhere for compensation while on sick/injured leave.
7. Employees will not feign illness, injury, or falsely report themselves ill or injured.

Supervisors' Responsibilities:

The Chief of Police may require a physician's visit notice for return to work when reasonable. Using sick leave for purposes other than those defined in the employee's working contract shall be evidence of abuse, possibly resulting in discipline. Use of more than eleven sick leave days in any 12-month period is considered excessive, and shall be reviewed to determine if the excessive use is justified or requires corrective action. Supervisors will review current contract language to make this determination.

C, Military Leave Procedures

See applicable labor contract for details concerning military leave policies and procedures.

Types of Leave Allowable for Military Duty:

Employees participating in a guard/reserve program are allowed a specific number of paid working days (established by federal law and labor contracts) per calendar year for military duty, which apply only to days that the employee is regularly scheduled to work for the department. When performing military duty,

employees have the choice of using their allotted military time, accrued vacation time, compensatory time, leave of absence without pay, flex time (when approved by a command officer), or a combination thereof.

Leave of Absence:

Employees who entered non-training active military duty voluntarily or involuntarily shall have reemployment rights for a period of up to four years. This period may be extended for up to one year for service in the active component. For Reservists, the four year period can be extended by that amount of service time during which the person is unable to obtain orders relieving him from military duty, or the amount of time served while the President has the authority to call Reservists to military duty.

Returning to Work from Military Service:

Employees will report for work at the beginning of the next regularly scheduled work period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following such employee's release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled work period will subject the employee to the rules of conduct pertaining to explanations and discipline with respect to absence from scheduled work.

Forfeiture:

Employees participating in a guard/reserve program are not obligated to utilize the paid military time provided; however, such time will be forfeit at the end of the calendar year in which it is accrued.

Compensation

An employee performing military duty may not receive military compensation for a day in which the employee also worked for the City of Reno. For example, an employee who works a graveyard shift at the Reno Police Department may not receive an additional day's pay for military duty performed on the same calendar day. Additionally, the employee will not be paid for his/her regularly scheduled days off.

Benefits which are in the nature of a reward for length of service shall continue to accrue while an employee is on military leave. Further, in instances where the City's practice or policies provide benefits to employees on unpaid leaves for other purposes, then equal treatment shall be afforded employees on military leave.

Notification and Scheduling Requirements

To facilitate the smooth interaction between departmental and guard/reserve program staffing, those employees who participate in such programs will have the following responsibilities:

1. Employees will notify their immediate supervisor, in writing, of planned military duty or changes in proposed plans. This notification will be made as far in advance as possible.
2. Employees will attempt to plan and schedule military duty with consideration of known department manpower requirements.
3. Employees will report any conflicts between departmental employment and military duty through the established chain-of-command, and such conflicts will be detailed in writing by inter-office memorandum.
4. Employees will fill out their time cards reflecting the appropriate time taken in accordance with departmental time card procedures.

Department Responsibilities

1. The department does not place a limit on the number of days of active duty for training that employees may attend. This unlimited time applies to duty that is either voluntary or involuntary on the part of the employee participating in a guard/reserve program.
2. The department will not terminate, demote, punish, restrict or withhold accrual of benefits including, but not limited to, accrual of vacation and sick time, accrual of retirement benefits, seniority, status, and anniversary date, or otherwise discriminate against an employee as a result of participation in a guard/reserve program.
3. The department will not deny an employee promotion, transfer, training, or other source of advancement as a result of participation in a guard/reserve program.
4. The department will provide the same opportunity to apply or bid for assignments to those employees participating in a guard/reserve program, as is afforded to other employees.

D. Compensatory time

In lieu of premium pay for overtime, the Department allows compensatory time at

the rate of one and one half times the actual overtime hours worked. Accumulation of compensatory hours will be regulated by each employee's employment contract. Compensatory time in lieu of premium pay is up to the individual employee's discretion and may be used at the employee's preference so long as the employee gives the Department reasonable notice and its use does not cause undue disruption of the Department in the delivery of police services to the public.

Employees wishing to use any of their accumulated compensatory time will submit their request on a Personnel Form C a minimum of seventy-two (72) hours prior to the requested off-time. Compensatory time off requests submitted prior to the seventy-two (72) hour time-frame will not be denied unless an undue disruption of the Department's ability to deliver police services can be articulated. Requests submitted with less than a seventy-two (72) hour notice will be given the same consideration as any other type of accumulated leave time-off request.

E. Return to Duty

Any sworn employee who has been on leave, regardless of the type, for twelve or more consecutive months is required to complete all Nevada P.O.S.T. annual basic certification training requirements before resuming duties as a police officer. Each sworn employee, upon returning from leave, will be assigned to the Training Division until those requirements can be met.

Once the employee has completed the required training, the Training Division Supervisor will notify the employee's Division Commander that the employee is certified to return to duty. The employee will then report to the Division Commander, or their designee, for duty assignment as outlined in this order.