



# TOWN OF MACEDON POLICE DEPARTMENT

<b>General Order:</b> 206	<b>Effective Date:</b> May 2, 2020
<b>Subject:</b> Military Leave	
<b>Reference Standards:</b>	
<b>Rescinds:</b> N/A	
<b>Page</b> 1 of 3	<b>Attachments:</b> MPD Military Leave Request Form

I. Purpose

The purpose of this policy is to establish procedures for granting military leave.

II. Definition

Military Leave: any military duty performed in the service of the State of New York or the United States, including but not limited to attendance at any service school or school sponsored by the Armed Forces of the United States, by any employee as a member of any force of the organized militia or any reserve force or reserve component of the Armed Forces, in writing, issued by competent State or Federal authority.

III. Policy

- A. Military leave(s) of absence will be granted consistent with Chapter 43, Title 38, United States Code. Paid military leave will be granted consistent with sections 242 and 243 of New York State Military Law.
- B. A paid military leave of absence shall not exceed a total of thirty (30) days or twenty-two (22) working days, whichever is greater in any one calendar year and shall not exceed thirty days or twenty-two working days, whichever is greater in any one continuous period of such absence.
- C. Employees are eligible to use existing time credits such as compensatory or vacation time for military duty in excess of twenty-two working days or thirty calendar days subject to prior approval by the Chief of Police or their designee. The Chief is not required by law to grant additional time off with pay for military duty beyond the twenty-two or thirty-day limit. Employees are eligible for military leave without pay.
- D. Employee's regular work schedules shall not be altered to accommodate military leave unless it is in the best interest of the Department.
- E. Requests for non-paid leaves of absence for military training will be submitted to the Chief or their designee. Non-Paid leaves of absence shall be granted consistent with Chapter 43, Title 38, USC.

#### IV. Procedures and Responsibilities for Paid Military Leave

##### A. Employee Responsibilities

1. When employees are on active military duty such as annual training or active duty for training, they will submit a legible copy of the military order accompanied by a military leave request to their immediate supervisor. Military orders will be presented as soon as they are available. Employees are to submit orders prior to military duty and at a minimum of seven (7) days in advance unless there are extenuating circumstances. Pay for military leave can be withheld without official documentation. Any change or cancellation requires the submission of an amended form.
2. When employees are on inactive duty such as drills/reserve meetings, they must submit a copy of their drill schedule accompanied by a military leave request form to their immediate supervisor. Drill schedules must be delivered to the supervisor as soon as they are published. If a drill schedule is not published, employees must submit alternative proof of their military obligation. Employees are responsible for notifying their supervisors of any changes prior to the scheduled drill.
3. Upon completion of military duty, proof of attendance must be submitted to their supervisor within three days of returning from military leave. Acceptable proof of attendance consists of the following:
  - a) An original signed statement which includes the date, time of attendance, name and signature of the commanding officer or other officer in the employee's military chain of command.
  - b) Any military attendance form signed or verified by a commanding officer or officer in the employee's military chain of command.
  - c) A military pay voucher with dates of attendance clearly indicated.

##### B. Supervisor Responsibilities

1. It shall be the responsibility of the Road Patrol Sergeant to approve or disapprove requests for Military Leave.
2. The Road Patrol Sergeant may grant paid leaves of absence up to the limit as stated above.
3. Forward a copy of the military orders or drill schedule, proof of attendance and a completed military leave request form to the Chief of Police as soon as they are received. Again, with the understanding that pay may be withheld without official documentation.
4. Maintain a copy of the documentation (III-B) and an attendance log of hours and days used.

#### V. Military Duty Leave of Absence

- A. If military duty conflicts with the employee's regular scheduled tour of duty, the

employee will be excused.

B. The employee will be excused to allow sufficient time to report for military duty. If an employee reports to work and is subsequently excused for military leave, he/she would not be required to report to work on the same calendar day.

By Order of the Chief of Police

*John P. Colella*

John P. Colella (May 4, 2020)

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John P. Colella

Chief of Police

Dated this 2nd day of May, 2020