



ALBUQUERQUE POLICE DEPARTMENT
ADMINISTRATIVE ORDERS

SOP 3-21

Effective: 8/29/2018 Review Due: 8/29/2019 Replaces: 01/17/2016

3-21 SCHEDULED AND UNSCHEDULED LEAVE

3-21-1 Policy

Department policy is to grant appropriate types of leave to eligible personnel in accordance with established city guidelines and requirements.

3-21-2 Rules

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A. Vacation and Compensatory Time Leave

1. Vacation and compensatory time requests are approved or denied by the immediate supervisor who shall ensure minimum manning levels are maintained.
2. Refer to [SOP 3-20](#) for additional compensatory time guidelines.
3. Under no circumstance will compensatory time be donated or transferred to another individual.

N/A

B. Non-Duty Disability Leave (Sick, Injury, Not in the Line of Duty, etc.)

1. Personnel may use accumulated sick leave for non-duty disability, injury, and illness or may request leave as provided by collective bargaining agreements.
2. Supervisors will require an employee to pick up and complete a FMLA packet from City Employee Relations (CER) (7th floor/City Hall) for any non-duty disability leave and use of five or more consecutive days of sick leave.
3. Personnel absent for ten consecutive work days or more due to sick leave or non-duty disability leave will:
 - a. Complete a FMLA packet prior to returning to work.
 - b. Personnel will report to the Employee Health Center and may be required to undergo an examination by the medical staff prior to returning to work.
 - c. Supervisors will ensure that a leave request is submitted for each pay period.
4. Personnel who exhaust their accumulated sick leave may request, in writing, additional leave from accrued vacation, accrued compensatory time, or family leave without pay.
5. Leave without pay for 5 days or less requires the approval of the employee's commander or division head. More than 5 days requires the approval of the Chief of Police. Collective bargaining agreements may provide variances for leave without pay requests.



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6. Personnel who require planned medical treatment, such as corrective surgery, physical therapy, pregnancy, etc., must advise their supervisor.
7. Personnel who are unable to perform their assigned duties because of non-duty disability, including maternity, may use accrued leave or may request additional leave without pay in accordance with the city Merit Ordinance, Personnel Rules, and Regulations, or applicable collective bargaining agreements.
8. The acceptable level of sick leave usage for employees will be 44% of the amount of leave accrued for one (1) year. Sick leave usage over the specified percentage is considered overutilization and is just cause for disciplinary action.
9. Absences involving FMLA leave (i.e., hospitalization, outpatient surgery, serious illness or disability requiring long-term sick leave absences, including childbirth) or emergency leave will be exempt from the 44% standard. All absences require appropriate documentation.

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C. Injury in Line of Duty (ILD)

1. Personnel will promptly notify their immediate supervisor and APD Personnel Division of any on the job injury or job-related illness.
2. On the job, injuries or illnesses will also be reported to Risk Management through Medcor.
3. Injured personnel requiring medical care between 0700 and 1700 hours on weekdays will report to the Employee Health Center.
4. If a serious injury occurs or if the injury occurs at night or on weekends personnel will:
 - a. If Emergency – Call Albuquerque Fire Department paramedics.
 - b. If Non-Emergency – Call Medcor to recommend appropriate additional medical care including, but not limited to, treatment at an approved local emergency facility.
 - c. Report to, or have someone call, the Employee Health Center the next working day.
5. If personnel are admitted to a hospital for treatment of an injury, the medical doctor for the City of Albuquerque Employee Health Center, or his representative, must be notified at the time of admission or within a reasonable time.
6. Treatment for work related injuries by personal primary care physicians or any other physicians not on the staff of the City of Albuquerque Employee Health Center is not authorized without the prior approval of the Health Center Medical



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Director. Authorization will be given if indicated for treatment by certified specialists who will be selected by the Medical Director.

7. If personnel are under treatment by an outside consulting physician, they will be required to be seen in the Employee Health Center following each visit with the consulting physician in order that the health center remains informed of their progress.
8. Injuries sustained in the line of duty will be photographed if they are a result of a criminal offense and/or the supervisor reasonably believes that photographs are vital to the criminal case.
9. In cases of injury involving a criminal offense, the Supervisor's Injury Investigation Report will contain the offense report number and the offender's name and address if known.
10. Supervisor's Responsibilities:
 - a. Supervisors will ensure that appropriate medical treatment is obtained.
 - b. Supervisors will investigate the injury or illness and complete the City of Albuquerque Supervisor's Injury Investigation Report. If the injury or illness does not require medical treatment, the supervisor will mark the report for "reporting purposes only," and report the injury to the Risk Management immediately, or the next working day if after hours or on weekends. This report must be submitted through the chain of command to the Claims Validation Unit within three working days
 - c. If the injury is the result of a shooting, the requirements of [SOP 7-3](#) will be met also.
 - d. If the injury was a result of a traffic accident or criminal offense, a complete copy of all written offense and/or traffic accident reports will be submitted with the Supervisor's Injury Investigation Report to Risk Management via the chain of command.

11. Completion of Leave Request for ILD.

Employee must report to APD personnel division (HR) and Operations Review if applicable, prior to returning to work. This requires:

- a. Written approval by the City of Albuquerque Employee Health Center medical staff allowing personnel to return to work, and stating what, if any, limitations exist.
 - b. Approval by the chain of command up through the bureau deputy chief/ area commander.
 - c. Verification of time lost by Police Payroll personnel.
12. If the attending physician releases personnel back to full duty during a time when the medical staff of the Employee Health Center is not available,



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personnel will report to their next assigned shift. Personnel may be allowed to work assigned shifts until necessary individuals are available to complete the clearance process.

N/A

D. Military Leave

1. As provided for by state and federal law, every effort will be made to support employees who will need to be absent from work for reserve training. The guidelines for leave are:

a. Employees are authorized paid military leave in accordance with the employee's respective contract.

i. Leave will be granted for any activity or training for employees who have active duty orders. This will include any active duty training time. Orders must include travel time in order to claim travel time as part of military leave. Leave may be authorized if military orders are not available at time of departure.

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b. Employees will be allowed to attend regularly scheduled drills

i. Paid Military Leave will be the preferred method.

ii. Compensatory time or vacation can be used at the employee's discretion.

iii. Sick Hazard pay can also be used as long as the employee has 800 hours of sick leave.

iv. Military Leave without pay will be used per City of Albuquerque Merit System Ordinance.

c. Employees will notify their supervisors and Payroll/Personnel of their anticipated absences, to include regularly scheduled drills at the beginning of the federal fiscal year (October 1st).

i. Supervisors and Payroll/Personnel may request a memorandum from the employee's unit Commander or NCOIC listing planned training activities.

ii. When drill dates change on short notice, the employee must provide documentation to payroll from their military supervisor.

iii. Every effort should be made to minimize the negative impact of absences on non-military members.

d. The Chief of Police will appoint a military liaison officer.

i. He or she should be both a sworn police officer and commissioned officer in the guard/reserve.



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- ii. Liaison officer will ensure participation and be familiar with Employer Support of the Guard/Reserve programs.
 - iii. The military liaison officer will be available, in addition to normal duties, to coordinate and resolve problems between supervisor (whether military or department) and employee at the lowest, most informal level possible.
- e. Military Leave with pay is authorized in accordance with the City of Albuquerque Merit System Ordinance.
- i. Personnel requesting Military Leave will submit their military orders that direct them to active duty or active duty for training to APD payroll.
 - ii. Personnel requesting Military Leave, including monthly drill and deployment, shall notify Court Services of the anticipated absence in accordance with [SOP 2-76](#). If orders are received with less than 48-hours' notice, the military member's supervisor may provide notice to Court Services on their behalf.
 - iii. Personnel shall notify their supervisors and APD Payroll as far in advance as possible of expected active duty military requirements.
- f. Personnel receiving active military orders will complete the following in order:
- i. Turn in department vehicle, if applicable, to Pino Yards, if the active military orders last longer than (14) days in accordance with [SOP 2-2-4\(L\) \(f\)](#).
 - ii. Take a copy of the military orders to Payroll/Personnel.
 - Payroll will inform Property of the change in status.
 - Payroll will notify Risk Management to remove the employee's name from the "random drug test" pool if orders exceed (5) days.
 - Payroll will notify the Military Liaison Officer of orders.
 - iii. Turn in department issued equipment to Property, if the military orders last longer than (30) days in accordance with SOP 2-2-4(L) (1).
 - iv. If active military orders are extended, it is the responsibility of the employee to inform Payroll/Personnel and the Military Liaison Officer. A copy of the extended orders must be sent to Payroll/Personnel.
 - v. City health insurance benefits will cease unless the military member continues to pay their portion of the benefit.
- g. Time coded, as military leave will not count towards completion of the officer's 12-month probation.
- i. Department seniority will not be affected due to military leave.
- h. Personnel returning from active military orders and/or re-acclimation time will complete the following in order:



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- i. Report to Payroll/Personnel to obtain a check-in procedure list.
- ii. Provide a copy of any amended orders to Payroll – specifically orders ending earlier than previously scheduled.
 - Payroll will inform Internal Affairs, Risk Management, and the Advanced Training Unit (Sworn) of the return of the military member.
- iii. Contact the Military Liaison Officer.
- iv. In accordance with the City of Albuquerque's Substance Abuse Policy, returning military members who have been on an active military status for a period of (90) days, or more, will report for a drug test to be completed. The test shall be completed at the earliest opportunity.
- v. Upon completion of the drug test, the returning military member will report to the Advanced Training Unit at the Albuquerque Police Department Academy (Sworn) or report to their supervisor (civilian).
- vi. When the results of the drug test are received, Operations Review will notify the returning military member, the Military Liaison Officer, and the Property Unit (Sworn).
- vii. Uniformed Services Employment and Reemployment Rights Act (USERRA) gives allowance for re-acclimation time based on length of deployment. If a military member chooses to take re-acclimation time, it shall be used prior to checking back in with the department. Upon taking re-acclimation time, a military member may use Vacation and/or Comp during that time.

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E. Paid Leave Status

1. Personnel shall not submit, and supervisors shall not approve, any documentation that indicates personnel are on more than one type of paid leave status for the same work period at any given time.
2. The only exception to this rule is when personnel are on paid leave and working Chief's Time. An employee on Regular FMLA may not work any over time.

F. Training Requirements

1. Department personnel, whether sworn or civilian, returning from leave totaling 30 days or more shall notify the Payroll Officer immediately upon their return to work.
2. Payroll shall notify Operations Review of the return of the employee.
3. Operations Review will notify the Training Division Commander that the employee has returned to work.
4. The Advanced Training Sergeant will ensure that the employee returning to work is current in all required advanced training. If the employee has missed



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training during their absence, the Advanced Training Sergeant will schedule a make-up class as soon as practicable.