

# **Military Sample Policy Supplemental Resource Considerations**

**9-10-21**

The materials provided in this correspondence are for general informational and educational purposes only and are not intended to be and should not be considered legal advice or opinions. Prior to making any policy or rule changes seek the advice of your municipal attorney.

**J.A. Montgomery**  

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**CONSULTING**



# National Guard & Reserve Employer Factsheet

## Questions and Answers for Employers and their Employees who participate in the National Guard and Reserve

The Uniformed Services Employment and Reemployment Rights Act (USERRA), provides job protection and rights of reinstatement to employees who participate in the National Guard and Reserve.

The National Committee for Employer Support of the Guard and Reserve (ESGR), an agency within the Office of the Assistant Secretary of Defense for Reserve Affairs, operates programs directed toward U.S. employers, employees, and communities to ensure understanding of the role of Reserve component members. ESGR encourages development of employer policies and practices to facilitate employee participation in the Reserve components through a network of volunteers and the ESGR Ombudsman program provides "third party assistance" and informal mediation services to employers and members of the National Guard and Reserve. It works in conjunction with the Veterans' Employment and Training Service (VETS), U.S. Department of Labor. Volunteer members are trained to provide assistance in the resolution of employment conflicts that can result from military membership, training, or other service requirements protected under USERRA.

To reach your local ESGR Committee for information or assistance, contact ESGR Ombudsman:

- by visiting the [Contact page](#) and finding your local committee
- call ESGR toll-free at 1-800-336-4590
- call your local National Guard or Reserve unit

## USERRA Facts, Questions and Answers

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### 1. Is an employee protected from unlawful discrimination by an employer based on military affiliation?

Yes. USERRA provides protections for initial hiring and adverse employment actions by an employer if the action is motivated even in part by the employee's military service. This protection also extends to those who assist service members or testify in a USERRA investigation.

### 2. What are the basic eligibility requirements for job protection under USERRA?

To be protected, a National Guard or Reserve member must have a civilian job, must provide timely notification to the employer of military duty, and must report back to work for reemployment in a timely manner. Reemployment rights are provided even if the civilian job is described as "temporary," unless the employment was for a brief period with no reasonable expectation of continuance for a significant period of time.

### 3. Can an employer refuse to allow an employee to attend scheduled drills or annual training?

No. Employees must be excused from work to attend inactive duty training (drill) or annual training and the employer must reemploy the employee as if he or she has not been absent.

### 4. Is there a limit to the amount of active duty an employee can perform and still have reemployment rights?

Yes, there is a 5-year cumulative total of military service an employer is required to support. Not included in that total are: inactive duty training (drills); annual training; involuntary recall to or retention on active duty; voluntary or involuntary active duty in support of a war, national emergency, or certain operational missions; or additional training requirements determined and certified in writing by the Service Secretary, and considered to be necessary for professional development or for completion of skill training or retraining.

### 5. When should an employee provide notification of upcoming duty?

Written or oral notification must be made to employers prior to going on duty, unless precluded by military necessity. Employees are highly encouraged to notify their employer of any "window" of anticipated military activity, when application for orders is made, or if notified of possible involuntary recall. Employees should be sensitive to employer scheduling requirements when providing notification and when submitting application to the unit commander for orders. Where possible, an employee should submit requests for orders during calendar

### 6. Is prior notice to the employer required for leave of absence for military duty?

Yes. Unless precluded by military necessity, advance notice must be provided either orally or in writing. The context for what constitutes timeliness of notification was not spelled out in detail by Congress under USERRA. However, employees who participate in the National Guard or Reserve should provide their employers as much advance notice as possible. Failure to provide notice could result in a denial of the protection of USERRA.

**7. What are valid military orders?**

All written or verbal orders are considered valid when issued by competent military authority. A military member in receipt of official orders is obligated by federal statute to execute them. The recurring requirement to perform inactive duty training (drill) is an example of when written orders may not be formally issued.

**8. Does USERRA apply to "state" military duty or governor call-ups of National Guard members?**

No. However, protection for such duty is generally provided by state statutes and in most instances is comparable to protections provided under the USERRA.

**9. When may an employer require an employee to provide documentation of military service?**

After periods of military leave of absence for more than 30 days, the employer has the right to request such documentation, which can be used to establish the employee's basic eligibility for protection under USERRA. All National Guard and Reserve members are encouraged to provide a copy of orders, the annual drill schedule, or other type of documentation to employers as soon as available and, if possible, before the commencement of military duty.

**10. What if the employee cannot provide satisfactory documentation for military service in excess of 30 days?**

The employer must promptly reinstate the employee pending its availability. The employer may contact the military unit if necessary.

**11. Can an employer require an employee to apply for military leave of absence or otherwise submit official documentation for approval of military leave of absence?**

No. As stated earlier, an employer may not require documentation for notification prior to military duty. Further, an employer does not have a "right of refusal" for military leave of absence, so long as the employee has not exceeded the 5 years of cumulative service provided under USERRA.

**12. Can an employee be required to find someone to cover his or her work period when military duty interrupts the work schedule?**

No, an employee is responsible for notification but not for altering the work schedule or finding a replacement.

**13. Does an employee have the right to make up periods of work missed due to drill or military leave of absence?**

No. An employer may choose to offer an employee the opportunity to work hours missed as a benefit not provided under the USERRA. For example, an employer is not required to provide hours of work for an average 2-week, 80-hour period if part of that period is missed due to military service.

**14. After completion of weekend drill, what is the time limit for an employee to return to work?**

The beginning of the next regularly scheduled work period on the first full day following completion of service and expiration of an 8-hour rest period following safe transportation home. For example, an employer cannot require a service member who returns home at 10 p.m. to report to work 2.5 hours later at 12:30 a.m. However, the employer can require the employee to report for the 6 a.m. shift, or scheduled work period, the next morning (after reasonable commute from military duty to home followed by 8-hours). Included in the 8 hour period is time for rest and the commute to work.

**15. What is the time limit for an employee to return to work after Annual Training or other types of extended military leave of absence?**

Time limits for returning to work depend on the duration of the orders. The rules are:

- Service of 1 to 30 days: the beginning of the next regularly scheduled work period on the first full day following completion of service and expiration of an 8-hour rest period following safe transportation home.
- Service of 31 to 180 days: application for reinstatement must be submitted not later than 14 days after completion of military duty.
- Service of 181 or more days: application for reinstatement must be submitted not later than 90 days after completion of military duty.

**16. What if an employee does not return in a timely manner to work?**

The employee is subject to the personnel policies and practices of the employer for unexcused absences.

**17. What if the employee has an accident, is delayed by lack of military transportation, or is otherwise unable to report back in a timely manner?**

The employee must report back to work as soon as possible. Unless the delay is through no fault of the employee, he or she is subject to the personnel policies and practices the employer would normally apply to employees with unexcused absences.

**18. What if an employee is injured or incurs a disability during military duty?**

The deadline for reinstatement may be extended for up to 2 years for persons who are convalescing due to a disability incurred or aggravated during military service, and employers must make reasonable accommodations for the impairment.

**19. What job position is an employee returned to after military leave of absence?**

Except with respect to persons whose disability occurred in or was aggravated by military service, the position into which an employee is reinstated is determined by priority, based on the length of military service. The rules are:

- Service of 1 to 90 days:
  - (a) in the job the person would have held had he or she remained continuously employed (possibly a promoted position), so long as the person is qualified for the job or can become qualified after reasonable efforts by the employer, or
  - (b), if the person cannot become qualified, in the position the person was employed on the date of the commencement of the military service.
- Service of 91 or more days:
  - (a) same as for service of 1 to 90 days, or a position of like seniority, status and pay, so long as he or she is qualified, or
  - (b) if the person cannot become qualified, in the position the person was employed on the date of the commencement of the military service or which nearly approximates that position.

Note: The reemployment position with the highest priority reflects the "escalator" principle, which requires that a returning service member steps back onto the seniority escalator at the point the person would have occupied if the person had remained continuously employed.

USERRA specifies that returning employees must be "promptly reemployed." What is prompt will depend on individual circumstances. Reinstatement after 3 years on active duty might require two weeks to allow giving notice to an incumbent employee who might have to vacate the position.

**20. How does military service affect employee status or seniority in the workplace?**

An employee must be considered not to have been absent from the workplace if the only reason for that absence was service in a uniformed service. A returning employee must be made "whole" by:

- being allowed to contribute to the pension plan any amount that would have been contributed had the employee not been absent
- being reinstated with privileges and status the employee earned by length of service (for example, after 3 years with a company an employee may be entitled to accrue more vacation per year, or after 5 years an employee is automatically advanced to a management position.)

**21. What are the rules on contribution to the pension or thrift savings plan for periods of military leave of absence?**

Upon reemployment, the employee has 3 times the length of service (not to exceed 5 years) to make payments and the employer is liable to fund any resulting obligation of the plan within the same time frame.

**22. Can an employee contribute to the pension plan when on military leave of absence?**

There is no burden under the law for an employer to continue pension contributions while the employee is away from the work site. An employer may choose to offer this benefit.

**23. What are the rules for entitlement to health insurance?**

For absence of less than 30 days, benefits continue as if the employee has not been absent. For absence of 31 days or more, coverage stops unless the employee elects to pay for COBRA-like coverage (for a period of up to 24 months). Health insurance must be reinstated the day an employee is reinstated with no waiting period. If the employer cannot put the employee back to work immediately upon application, the health insurance must be restored immediately.

**24. Does an employee accrue vacation or medical/sick days from the employer while on military leave of absence?**

No. However, as in the previous question, an employer may choose to offer accrual of vacation or medical/sick days as an additional benefit. An employer is not required under USERRA to provide short term compensation (pay, vacation accrual, etc.) when an employee is not working at the worksite.

**25. Is an employer required to pay an employee who is on military leave of absence?**

No. While many employers offer differential pay or a specific number of paid military leave days, an employer is not required to pay an employee on military leave of absence.



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## **Military Leave – Part One**

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### ❖ **Introduction**

The [Uniformed Services Employment and Reemployment Rights Act of 1994](#) applies to all public, private, and federal employers. It mandates that returning service members are to be re-employed in the position that they would have attained had they not been absent for military service, with full seniority, status and pay. The USERRA performs four key functions:

1. It guarantees returning veterans a right of reemployment after military service. 38 U.S. Code § 4312.
2. It prescribes the position to which such veterans are entitled upon their return. 38 U.S. Code § 4313.3.
3. It prevents employers from discriminating against returning veterans because of their military service. 38 U.S. Code § 4311.

4. It prevents employers from firing without cause any returning veterans within one year of reemployment. 38 U.S. Code § 4316.

It should be noted that Federal intelligence services, including the FBI, are exempt from the USERRA. *Dew v. U.S.*, #98-6102, 192 F.3d 366, 1999 U.S. App. Lexis 23710, 162 LRRM (BNA) 2327 (2nd Cir.). See [5 U.S. Code § 2302\(a\)\(2\)\(C\)\(ii\)](#).

State and local agencies may not limit the number of employees who choose to serve as military reservists. The Fourth Circuit struck down Baltimore city's limit on number of police officers who could be military reservists and awarded damages to an officer for lost benefits that he would have earned. *Kolkhorst v. Tilghman*, 897 F.2d 1282 (4th Cir. 1990); cert. denied 502 U.S. 1029, 112 S.Ct. 865 (1990).

This is a short summary of federal law, applicable to military reservists.<sup>[1]</sup> State and local laws and collective bargaining agreements may offer additional benefits and protections, but cannot limit federally protected rights.

Part One addresses leave for calls to active service, military training activities and harassment. Part Two discusses the rights and obligations of returning reservists.

#### ❖ **Calls to active service**

- *Notice*

Persons going on military leave are not required to give their employers notice prior to departure, but may be required to do so to claim any nonfederal benefits not required by U.S. Code, state statutes or local ordinances (such as continued pay differential, if offered).

- *Earnings*

Employers are not required to continue the pay of a reservist, or pay the differential. Many governmental entities, cognizant of the financial hardships placed on reservists due to home mortgages, car payments and other obligations, have chosen to continue certain benefits and pay wage differentials. This benefit may be created by a statute, ordinance, personnel rules or a collective bargaining agreement.

Since 2009 eligible civilian employees of the federal government receive a supplemental payment equal to the amount by which their civilian basic pay exceeds their military pay and allowances allocable to the given period. <sup>[2]</sup>

Some employers include military housing allowances when computing pay differentials. However, an Ohio arbitrator held that, in the absence of specific language in the bargaining agreement, pay differentials given to sheriff's officers on military leave should include housing allowances in the computation only for those who incur additional housing expense when serving on military leave. [Franklin Co. Sheriff's Office and FOP L-9](#), 117 LA (BNA) 1821, FMCS Case #02/05119-6 (Goldberg, 2002).

In granting 15 days of paid military leave a year, the Indiana Legislature intended to treat all public employees equally. Management's policy of paying up to 120 hours of military leave per year, regardless of shift length, treated all public employees the same; management's definition of a "day" as 8 hours did not conflict with state law or treat unfairly firefighters who work 24 hours on, 48 hours off. [Koppin v. Strode](#), #49A02-0103-cv-148, 761 N.E.2d 455, 2002 Ind. App. Lexis 29 (Ind. App. 2002).

In Minnesota, public agencies must count time that police officers and firefighters spend on military leave towards their base hours for purposes of computing overtime. State law provides that military duty for public employees shall be without loss of pay. [Boelter v. City of Coon Rapids](#), 67 F.Supp.2d 1040, 1999 U.S. Dist. Lexis 14788 (D.Minn. 1999).

Moreover, Minnesota firefighters on military leave are entitled to be paid for 24-hours for each duty day missed. An employment agreement cannot supersede state law. [Howe v. City of St. Cloud](#), #C3-93-1949, 515 N.W.2d 77 (Minn. App. 1994).

- ***Health coverage***

As regards to health benefits, under [38 U.S. Code §4317](#), reservists covered by an employer-sponsored health plan can elect continued coverage for themselves and their covered dependents.

- (a) The maximum coverage period under such an election is the shorter of the 18-month period beginning
  - (i) on the individual's date of absence or

- (ii) the period ending the day after the date on which the person fails to apply for or return to employment.
- (b) The employee can be required to pay 102 percent of the premium for the continued health coverage, determined in the same way as optional COBRA coverage under [§4980B\(f\)\(4\)](#) of the Internal Revenue Code.
- (c) However, an individual who performs service in the uniformed services for 30 days or less cannot be required to pay more than the employee share, if any, for such coverage.
- (d) Unless the plan specifies multi-employer allocation, the last employer is liable.
- (e) If coverage is terminated due to military service, no exclusion or waiting period can be imposed on the person's return to employment. This provision does not apply to injuries or illnesses determined by the Secretary of Veterans Affairs to have been incurred or aggravated during service in the uniformed services.

- ***Combat deployment requirements***

Since the payment of earnings differentials are not required, public employers may choose to limit those payments to a designated crisis or defined period, to avoid similar claims during future peacetime periods when reservists might volunteer for optional, noncritical specialized training programs.

- ***Promotional rights***

In New York, a federal court upheld a jury award of double pay plus \$300,000 for emotional distress, to a FDNY promotional candidate who was denied a chance to make up a missed exam due to his military service.

The court also sustained his promotion without taking the test because of the city's refusal to offer a makeup exam. [Fink v. City of N.Y.](#), #97-CV-6314, 129 F.Supp.2d 511, 2001 U.S. Dist. Lexis 2290, 166 LRRM (BNA) 2923 (E.D.N.Y.).

A Florida arbitrator rejected a union grievance that management improperly allowed a sergeant, who was on military duty, to take a promotional exam at an off-site location. Federal laws protecting military leave rights supersede the bargaining agreement and

administrative rules. [Palm Beach County Sheriff's Office and PBC Police PBA](#), AAA Case #32-390-100713-04, 121 LA (BNA) 1624 (Smith, 2005).

- ***Vacation, pension accrual and other benefits***

Reservists may elect to use vacation benefits during periods of active duty, but may not be required to do so by the employer. Generally, this election is chosen only by employees who are not under a pay differential continuation plan.

The Labor Department's Rules on the USERRA provides that employees who are returning from military service are entitled to continued pension participation, vesting, and accrual of benefits without incurring a break in service. 20 CFR Part 1002, [70 \(242\) Fed. Reg. 75279](#) (Dec. 19, 2005).

*Unpaid* reservists should be given, at a minimum, the same benefits given other employees and their dependents when on maternity and other unpaid leave plans in effect. It is another matter for *paid* reservists. The fact that an employer allows workers to earn holiday benefits while on jury duty does not entitle an employee to accrue those benefits while on military leave. [Tully v. Dept. of Justice](#), #2007-3004, 481 F.3d 1367, 2007 U.S. App. Lexis 6440 (Fed. Cir. 2007).

The Fifth Circuit has distinguished seniority- and non-seniority-based rights and benefits accrued or lost by military reservists. In the case of non-seniority-based rights and benefits, employers must treat military reservists equally, but not preferentially. [Rogers v. City of San Antonio](#), #03-50588, 392 F.3d 758, 2004 U.S. App. Lexis 24831, 176 LRRM (BNA) 2129 (5th Cir. 2004).

#### ❖ **Duration**

Public employers may not limit the duration of military leaves by restricting the periods that a pension can be earned. Federal law prevails. In New York, a federal court held that two consecutive leaves of absence for 14 and 13 months respectively for flight engineer training were reasonable. [Cronin v. Police Dept. of the City of N.Y.](#), 675 F Supp. 847 (S.D.N.Y. 1987).

A federal court in California held that a four-year military leave was not unreasonable, despite fact that that the leave request was only for three years. [Lemmon v. Santa Cruz](#)

Co., 686 F.Supp. 797 (N.D. Cal. 1988). The court added its view that “the type, duration and frequency of any particular course of military training must also be presumed reasonable.” 686 F.Supp. at 854.

### ❖ **Training activities**

Although for nine years a city allowed police officers who missed their weekend work shifts while attending National Guard duties to make up the time on their scheduled days off, management was not obliged to continue that policy, because non-Guard employees who miss work for non-military activities are not provided with a comparable scheduling benefit. [\*Crews v. City of Mt. Vernon\*](#), #08-2435, 567 F.3d 860, 2009 U.S. App. Lexis 11718 (7th Cir.).

A Texas appellate court rejected the claim that a “vacancy” was created in the ranks when a senior police officer was called to temporary active duty in the military. However, a city may *temporarily* assign other officers to an open position caused by a military leave absence. [\*McElroy v. City of Temple\*](#), #03-03-00741-cv, 208 S.W.3d 471, 2006 Tex. App. Lexis 2056 (2006).

Federal law does not prevent disciplinary action for misconduct *unrelated to military service*. The Fourth Circuit has held that military training laws did not protect an employee who deliberately falsified his time card. [\*Hill v. Michelin N.A.\*](#), #00-2202, 252 F.3d 307 (4th Cir. 2001).

Federal courts will intervene if disciplinary action is a cover for wrongful discrimination. A court ordered reinstatement of an untenured Desert Storm veteran in Pennsylvania. His “suspension” pending an internal investigation was found to be pretextual discrimination. [\*Simmons v. Didario\*](#), #91-6719, 796 F.Supp. 166 (E.D.Pa. 1992).

### ❖ **Hostile work environment claims**

Anti-retaliation provisions are a part of most federal laws enacted to protect employees from harassment and other discriminatory practices.<sup>[3]</sup> The USERRA does not have such a section. A number of lawsuits have asked the courts to imply an anti-harassment prohibition. The First Circuit noted in 2010:

“Neither the Supreme Court nor any court of appeals has decided whether a hostile work environment claim is cognizable under USERRA.” [Vega-Colon v. Wyeth Pharm.](#), #09-1861, 625 F.3d 22, 32 (1st Cir. 2010).

Several circuit courts assumed, without deciding, that USERRA does provide for such a claim but they disposed of the claim on other grounds.<sup>[4]</sup> In March 2011, the Fifth Circuit became the first federal appellate court to rule on the issue.

Several commercial airlines pilots alleged that management created a hostile work environment through a continuous pattern of harassment in which the airline had “repeatedly chided and derided [the] plaintiffs for their military service through the use of discriminatory conduct and derogatory comments regarding their military service and military leave obligations.”

The District Court rejected their claims.<sup>[5]</sup> On appeal, the panel considered the statute’s legislative history and its underlying policy objectives to gain insight into whether Congress intended to create a cause of action under USERRA for harassment of service members. They wrote:

“Congress’s choice to not include the phrase ‘terms, conditions, or privileges of employment’ or similar wording in USERRA weighs in favor of the conclusion that USERRA was not intended to provide for a hostile work environment claim to the same extent as Title VII and other anti-discrimination statutes containing that phrase. .

“The lack of DoL regulations regarding harassment of private employees on the basis of military service also supports our determination ...

“To be clear, nothing in this opinion alters the ability of service members to sue under USERRA for the denial of contractual benefits of their employment on the basis of military service as defined in the statute. All that we hold is that service members may not bring a freestanding cause of action for hostile work environment against their employers.”

[Carder v. Continental Airlines](#), #10-20105, 2011 U.S. App. Lexis 5847 (5th Cir.).

## ❖ Notes

1. This article uses the generic word *reservists*, and includes members of an Army or Air National Guard component.

2. Section 751 of the Omnibus Appropriations Act of 2009; Public Law 111-8, codified at [5 U.S. Code §5538](#).
3. For list of statutory federal anti-retaliation provisions, see [Retaliatory Personnel Actions](#) in the Sep. 2009 AELE Monthly Law Journal at p. 202.
4. [Vega-Colon v. Wyeth Pharm.](#), #09-1861, 625 F.3d 22, at n.9 (1st Cir. 2010); [Dees v. Hyundai Motor Mfg.](#), #09-12107, 368 F.Appx. 49, at 53, 2010 U.S. App. Lexis 4064 (Unpub. 11th Cir. 2010); [Church v. City of Reno](#), #97-17097, 168 F.3d 498, 1999 U.S. App. Lexis 6724 (Unpub. 9th Cir. 1999); [Miller v. City of Indianapolis Fire Dept.](#), #01-2219, 281 F.3d 648, 2002 U.S. App. Lexis 2598 (7th Cir. 2002).
5. [Carder v. Continental Airlines](#), #H-09-3173, 2009 U.S. Dist. Lexis 110671, 187 LRRM (BNA) 3143 (S.D. Tex.).

❖ **Resources** (*Chronological*)

1. Article, Screening for Alcohol Misuse and Alcohol-Related Behaviors Among Combat Veterans, by Santiago, et al., 61 *Psychiatric Serv.* 75-581 (2010).
2. Report, [Combat Veterans](#): A Transition Guide for Veterans Beginning or Continuing Careers in Law Enforcement, IACP (2010).
3. Report, [Law Enforcement Leader's Guide on Combat Veterans](#), IACP (2010).
4. Report, [Employing Returning Combat Veterans](#): Findings and Recommendations from Field Research, IACP (2009).
5. Article, Military Psychology and Police Psychology: Mutual Contributions to Crisis Intervention and Stress Management, by Laurence Miller, 10 (1) *Intern. J. of Emerg. Mental Health* 9-26, PMID: 18546756 (2008). [Abstract](#).
6. Article, Combat and Operational Stress Control, by E.A. Brusher, 9 *Intern. J. of Emerg. Mental Health*, 111-122 (2007).
7. PowerPoint<sup>®</sup>, Psychological Support to Army National Guard, Presentation to the Police Psychological Services Section, IACP Annual Conference, by Major Stephen F. Curran, Ph.D., Maryland Army National Guard. (2006).
8. Book, *Courage After Fire: Coping Strategies for Returning Soldiers and Their Families*, by Armstrong & Domenici, Ulysses Press, ISBN13: 978-1-56975-513-2 (2005).

9. Article, Chapter 21, Postintervention Strategies to Reduce Police Trauma, by Chris Dunning, in *Police Trauma: Psychological Aftermath of Civilian Combat* (at 269-289), Violanti & Paton (Eds.) Charles C. Thomas (1999). [Abstract](#).
  10. Book: *On Killing, The Psychological Cost of Learning to Kill in War and Society*, by David Grossman, Little Brown, ISBN 978-0-316-04093-8 (1996).
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## **AELE Monthly Law Journal**

Wayne W. Schmidt  
Employment Law Editor  
P.O. Box 75401  
Chicago, IL 60675-5401 USA  
E-mail: [wws@aele.org](mailto:wws@aele.org)  
Tel. 1-800-763-2802

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  - The law sometimes differs between federal circuits, between states, and sometimes between appellate districts in the same state. AELE Law Journal articles should not be considered as “legal advice.” Lawyers often disagree as to the meaning of a case or its application to a set of facts.
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# Double Duty

*A Guidebook for Families  
of Deployed Law  
Enforcement Officers*



# BJA

Bureau of Justice Assistance  
U.S. Department of Justice

*“Families face enormous challenges during deployments. It is incumbent upon our law enforcement leadership to facilitate the deployment transition for our veterans as well as their families. Leaders must be mindful of these difficulties and provide the support needed in the absence of their loved ones. We must be willing to stand behind our servicemembers and their families while they stand defending our nation and our communities.*

*This guide addresses a range of issues that veterans and families face while being deployed. It serves as a crucial tool for veterans and their families in preparing for deployment.”*

—**SANDRA ESPADA**

*Investigator, New York State Police*

*MSC Officer-USAR*

*Veteran, Operation Iraqi Freedom*

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*Support from:*

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“We need to pay attention to the entirety of our people and their families and the programs that support them.”

—ADMIRAL MIKE MULLEN,  
*Chairman of the Joint Chiefs  
of Staff (2009)*

## I. Introduction

It is in this spirit that this family guidebook has been written. The family guidebook, the third in a series developed through a partnership between the International Association of Chiefs of Police (IACP) and the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA), provides support for the families<sup>1</sup> of deployed law enforcement officers and is presented using the framework of the *deployment cycle*<sup>2</sup>.

The two previous guides, *Law Enforcement Leader's Guide on Combat Veterans* and *Combat Veterans & Law Enforcement*, focus on issues pertaining to individual servicemembers returning to or considering a career in law enforcement. Both guides are

available through the IACP website at [www.theiacp.org/vets2cops](http://www.theiacp.org/vets2cops).

Throughout the research phase of the Employing Returning Combat Veterans as Law Enforcement Officers Project, it was emphasized that law enforcement (LE) leaders were not paying close enough attention to the families of those deployed. This guide, which will be distributed by LE agencies, is written for the spouses and families of our currently deployed servicemembers and those who may be deployed in the future. Tips and suggestions are provided throughout the guide to allow LE leaders an opportunity to consider implementing new policies or modify existing policies and procedures for providing support to spouses and families throughout the *deployment cycle* to help ease their anxiety and concern.

The points raised in this guide have surfaced as a result of a spouses' focus group, discussions with veterans and their spouses, LE leaders, and other practitioners in military social work and spousal support.

Specific comments for spouses and law enforcement leaders are located throughout this guide to underscore salient points or offer suggestions for each group. This guide provides

<sup>1</sup> Families includes references to spouses, single parents who need to arrange for the care of dependent children, parents, grandparents, dual-military couples with dependents, and those with custody or joint custody of a child or other dependent family members who are unable to care for themselves.

<sup>2</sup> Italicized words can be found in the glossary.

suggestions and helpful resources for assisting spouses and family members of those deployed and deployable servicemembers in an easy-to-navigate manner.

A list of acronyms and glossary terms are included to assist with understanding military and related terminology.

## II. Pre-Deployment

For families, the pre-deployment stage is the beginning of the deployment cycle and begins when your servicemember is alerted for deployment and continues until “wheels up.” In the case of previously deployed servicemembers with the potential for future deployments, this stage should be seen as ongoing.

### ► Note for LE

**LE Leaders could offer timely assistance through communication, outreach, and community support groups to the family members of servicemembers who may become activated even if no current orders exist. In some cases, little time is afforded between notification and activation. Such a process would allow for more seamless planning and implementation.**

### ► Note for Spouse

**If you have been through this before, it is time to dust off the old plan, revise it, and include new ideas and sources of support.**

Even if the deployment is scheduled one to six months in the future, there is not a moment to lose. The family should begin by developing a *Family Care Plan* (FCP) which includes preparing for financial, legal, medical, emergency, and a myriad of other personal issues for you, your family, and your parents. The time to get organized is now.

## Family Care Plan

The FCP is a working plan for the care of loved ones and personal property during deployment. You are responsible for keeping this plan up-to-date. Documentation is key to how a servicemember’s personal and family business should be conducted during deployment. At a minimum, it should include arrangements for child care, education, medical care, and family activities. In the case of a *single parent/caregiver* military activation, or activation of both parents, these issues become even more urgent. Communicate your desires carefully. The following sections in Financial Management, Legal Preparation, Medical/Health, and Miscellaneous

Issues are all areas you should consider including in your FCP. A FCP should also include powers of attorney (General/Special) for family members and care providers. Discuss all of these sections with your servicemember and loved ones prior to his or her deployment.

### ► **Note for Spouse**

**Military unit commanders will not deploy servicemember until all family care plans are validated.**

## **Financial Management**

Managing your family's finances, which include checking and saving accounts, bank statements, investments, allotments, and protecting your identity from fraud, can be overwhelming.

► **Budget Planning** – Create a list of monthly/quarterly/annual bills and the accounts from which they should be paid, such as check, credit, or debit.

► **Checking Accounts** – Consider opening separate accounts to ease confusion over who is writing checks. Discuss pros and cons of joint accounts with a military or civilian legal advisor. Servicemembers should have access to a checkbook with a sufficient balance; there are rarely ATMs in deployment areas.

► **Electronic Funds Transfer (EFT)** – Consider using EFTs and online bill paying services to automatically arrange for monthly payments (e.g., water, utilities, rent, credit cards), if appropriate.

► **Fraud and Identity Protection** – Keep bank account numbers, passwords, pin numbers, and personal information such as birth dates confidential. Requests for this information over the phone or online are potentially scams.

► **Pay Changes** – Differences in your servicemember's pay will affect net pay and bank balances. Know that your servicemember will receive a Family Separation Allowance (FSA) and hazardous duty pay, if applicable. Delays may occur on your servicemember's monthly Leave and Earnings Statement (LES), before hazardous duty pay is actually credited to his or her account.

### ► **Note for LE**

**Discuss whether the agency will provide a salary differential or other benefit while the servicemember is deployed. If so, this should be explained to both the spouse and the servicemember.**

### ► Note for Spouse

In the absence of a designated agency Military Liaison Officer (MLO), contact your service-member's Human Resources (HR) department and/or military unit for assistance in compiling and tracking new pay and benefit figures.

### ► Note for Spouse

You can get financial updates on the web ([www.dfas.mil](http://www.dfas.mil)) or by phone at 1-888-332-7411.

- **Relief Agencies** – Can assist with emergency loans and grants. Contact Navy-MC Relief, Army Emergency Relief, Air Force Aid Society, or USCG Mutual Assistance. (See Resources)
- **Safe Deposit Boxes** – Safely store valuable documents such as birth and marriage certificates, mortgage papers, citizenship papers, and copies of powers of attorney in a safe deposit box. Safe deposit boxes are available at most banks for a monthly fee. Clearly identify who has access to these documents and when.

### ► Note for LE

The LE agency or organizations such as the Patrolmen's Benevolent Association (PBA) or the Fraternal Order of Police (FOP) may also be able to assist with financial emergencies.

- **Savings, Investments, and Allotments** – Schedule an appointment with a military financial advisor and review your short- and long-term plans. Become knowledgeable about the Savings Deposit Program under the Defense Finance and Accounting System (DFAS). This plan may provide a return rate up to 10% and is tax free, during the time your servicemember is deployed.
- **Servicemembers Group Life Insurance (SGLI)** – Low-cost life insurance coverage is available for families through SGLI. ([www.insurance.va.gov/sglisite/default.htm](http://www.insurance.va.gov/sglisite/default.htm))

## Legal Preparation

Estate planning, powers of attorney, and property management are an integral part of an FCP.

### ► Note for Spouse

**LE can assist with referrals to a legal advisor, while the military unit can assist with arranging an appointment with a Judge Advocate General (JAG) advisor skilled in financial management. (<http://legalassistance.law.af.mil/>)**

### ► Note for Spouse

**If documents are in a bank safe deposit box, verify that you are on the signature card and have a key to access the box!**

► **Document Location** – Be sure that you know the location of critical documents such as wills and marriage, birth, and naturalization certificates.

► **Entitlements** – Guard and Reserve family members are entitled to unlimited Exchange and Commissary privileges, with a valid military ID card.

► **Incapacitation** – Develop a contingency plan in case of injury, illness, or death for both yourself and your servicemember.

► **Legal Documents** – Consult with a legal counsel to determine if your particular circumstances warrant a Living Will, Advance Medical Directive, or a Durable *Medical Power of Attorney*. You may also need a general, special, or limited *Power of Attorney* for yourself or another caregiver.

► **Military Identification Cards** – ID cards are required for a servicemember's family, parents, and other care providers to obtain access to a military base or facility. If you already have a military ID card, check the expiration date and process the renewal if it will expire during your servicemember's deployment.

► **Personal Property** – Your family should have an up-to-date inventory of personal property with serial numbers and should consider insuring personal belongings, particularly items costing over \$500.

### ► Note for Spouse

**Taking pictures of your belongings and placing them on a flash drive is a good idea for use in the event of future loss or damage claims.**

► ***Servicemembers Civil Relief Act***

**(SCRA)** – This law can apply to you and was enacted to grant temporary relief and protection from civil proceedings. For example, landlords cannot evict without a court order or raise your rent, and your servicemember is entitled to reinstatement of any health insurance in effect on the day before their deployment. If you have questions regarding protection under SCRA, consult a military legal advisor.

► ***Shared Custody*** – Ensure that any shared custody agreement you may have for minor children is up-to-date. Such an agreement should cover the amount of time a child spends in the care and home of each of the two separated or divorced parents. There are other legal considerations and issues that are best reviewed and discussed with a legal advisor.

► ***Single Parent/Dual-Military Couple***

– If you are a single parent or dual-military couple speak to a legal advisor about identifying a person to be designated as a legal guardian for any minor children, in case of death or incapacitation. Make sure they have all required paperwork to make any legal or medical decisions on your children's behalf in your absence.

► ***Tax Assistance*** – Military base legal assistance is offered at no charge. Servicemembers and their spouses (if filing jointly) are entitled to a 180-day tax filing extension after leaving a combat zone. See Internal Revenue Service (IRS) Publication 3 ([www.irs.gov/pub/](http://www.irs.gov/pub/)

► **Note for LE**

**Your HR department can refer family members to support agencies or community legal advisors to assist with tax questions.**

[irs-pdf/p3.pdf](#)). Retain all tax documents until the servicemember returns. Do not discard any document until you review it with your servicemember.

► ***Voting*** – Ensure registration with your voting precinct is accurate to facilitate voting in state/national elections. You or your servicemember may seek absentee ballots if away from your home of residence. The nearby military base JAG office can assist.

► ***Will*** – Review your wills together and update; sign in the presence of a LE department representative, unit JAG, or local base JAG officer. There should be no cost.

► **Note for Spouse**

**If you do not have a will, strongly consider writing one or obtaining a will template from a legal advisor. If you have one, consider reviewing and updating it, if necessary, as vital information such as the beneficiary(ies) may have changed.**

## Medical/Health

Taking care of yourself and your family servicemembers is critical to your physical and emotional well-being while your servicemember is deployed. Your *Rear Detachment* (RD) commander and staff should be able to provide definitive guidance on the merits of each of the programs listed below. This section includes items that will be of utmost importance to you and your family.

### ► Note for Spouse

**Many family members benefit from discussing issues related to the absence of the servicemember with a mental health professional during the deployment.**

► ***Defense Enrollment Eligibility Reporting System (DEERS)*** – Is the key to military health care. Confirm that all information is current. Your military unit or MLO can assist. You must have a military ID card to obtain medical care. Visit: [www.dmdc.osd.mil/rsl](http://www.dmdc.osd.mil/rsl) for nearest DEERS office.

### ► ***Exceptional Family Member***

***Program (EFMP)*** – You need to enroll and register family members who might have physical, emotional, or intellectual needs. Contact any military base family support center for further information: [www.militaryhomefront.com](http://www.militaryhomefront.com).

► ***Immunization Shots*** – Contact military or civilian health care providers for clinic hours.

► ***Medication*** – It is very important to maintain a list of current prescription medication, dosages, doctor notes, and expiration dates in case of an emergency or to provide to a caregiver. An emergency medical responder (911) will require this critical information particularly if a patient/victim is unresponsive.

► ***TRICARE*** – All servicemembers are automatically covered for health care and benefits. You and your family members are eligible to seek care under either *TRICARE Standard* or *TRICARE Extra* for long deployments. Eligibility also extends to *TRICARE Prime*. You may elect to remain with your current health insurance provider. You are also eligible to enroll in the *TRICARE Dental Program*.

► ***Urgent/Emergency Care*** – Seek care at military medical facilities when feasible. In an emergency, do not forget to take your military ID card with you, if you go to a military facility. If urgent, call the primary care manager for authorization (found on back of the TRICARE card).

### ► Note for Spouse

Guard and Reserve servicemembers may qualify for *TRICARE Reserve Select*, a premium based worldwide health plan. The details of each plan should be explained during a military unit pre-deployment briefing which you should attend. Families residing more than 50 miles from military medical facilities may be eligible for *TRICARE Prime Remote*. Check with your current provider to ensure it accepts TRICARE patients.

### ► Note for LE

MLO can be most helpful in explaining differences/coverage during the selection process.

## Miscellaneous Issues

This category covers a range of issues that do not necessarily fit into the finance, legal, or medical categories. If possible, try to locate a spouse's group or individual's familiar with deployment issues, and learn about their strategies, tips, and lessons learned during the deployment cycle.

### ► Note for Spouse

Find spouses whose servicemembers have experienced multiple deployments. LE support groups are a good source. Military services offer a "*Key Spouse*" program which provides spousal assistance in family matters. See Glossary for further details.

### ► Note for LE

Consider developing and supporting an effort within your own agency or regionally by establishing and/or joining a family network. It will help the families maintain a sense of connection with the agency.

► **Automobiles** – Keep insurance, registration, license plates, and inspection stickers current. Contact your insurance company for a reduced rate, especially if one vehicle will be off the road or in long-term storage.

### ► **Note for Spouse**

**Do not forget periodic car maintenance and keep adequate emergency equipment in the vehicle.**

► **Bad News Protocol** – Discuss with servicemember and family members how “bad news” such as accidents, fires, injuries, death, illness, or loss of job should be brought up in conversation and delivered to the servicemember to avoid surprise announcements or stressful moments.

### ► **Note for Spouse**

**Military base community service organizations have volunteer crisis teams on call to discuss any crises that may arise. Guard and Reserve organizations have similar teams. The Army’s *Yellow Ribbon Reintegration Program* ([www.dodyrrp.mil](http://www.dodyrrp.mil)) is an excellent web site for finding assistance and resources.**

► **Children** – Depending on the age of your children, discuss the parent’s departure prior to deployment. Encourage them to share their feelings with you and observe their reactions during such conversations. Let the children know that plans are made to continue communication to the deployed parent through mail, e-mail, and phone. It is wise to check with the servicemember’s military unit or RD for availability of equipment such as computers or satellite feeds that the family may be able to use at a local military facility.

► **Deployment Checklists** – There are checklists available for families at your local deployment/mobilization office. Visit [www.militaryonesource.com](http://www.militaryonesource.com) for more information.

► **Disaster Preparedness** – Be prepared for natural disasters by creating an emergency preparedness kit. If you live in an area where earthquakes, tornados, flooding, hurricanes, or blizzards can strike, plan accordingly. A first aid kit, a supply of bottled water, batteries, and an emergency radio are a must. Emergency kits should also include a week’s worth of medication for any family member and food for the family pet, if required. Long-term power outages can be major inconveniences. Develop a backup plan for housing, transportation, food, and medical care. Check with the American Red Cross (ARC) for additional information on creating an emergency kit at [www.redcross.org](http://www.redcross.org).

### ► Note for Spouse

If confronted with a family emergency, such as a very sick or injured family member, the ARC can assist with contacting your servicemember.

### ► Note for LE

You can pre-arrange for personnel to check in with family members during times of natural disasters in your area – providing a strong support link for family members.

► **Family Pets** – A pet is a member of your family. Evaluate and discuss with family members whether the family can provide the care necessary for family pets. If necessary, locate a caregiver who can provide assistance. There are networks of volunteers or you can contact local humane societies to provide assistance at [www.netpets.org](http://www.netpets.org) or [www.hsus.org](http://www.hsus.org).

► **Family Programs** – Both the Guard and Reserve have family assistance centers to care for families of deployed servicemembers. Go to Guardlink ([www.guardfamily.org](http://www.guardfamily.org)) or Reserve Family Program ([www.arfp.org](http://www.arfp.org)) for more information. All services also have youth programs.

### ► Note for LE

This is a good opportunity for LE officers to volunteer to assist with the care of the family pet until the officer returns.

► **Homeowners Insurance** – Review or update insurance policies for your home and personal property.

► **Important Contacts** – Develop a list of important contacts including other family members, RD, MLO at LE agency, community, and emergency numbers (doctor, dentist). Have alternative phone numbers in case you are unable to reach the desired individual or organization. Include after hours and weekend numbers. Store emergency numbers on your cell phone and on a 3x5 card as a backup.

► **Language Translator** – Inform the military and LE chain of command if language translation for any family member would be needed during an emergency.

► **Military and Family Life Consultant Program (MFLC)** – Provides short-term, situational, or problem-solving counseling services to family members. Counseling can address life

skills (parenting, anger management, and conflict resolution) and typical military lifestyle issues (homesickness, separation, and coping skills). MFLC serves all services and Guard/Reserve components. If you are not near a military base, all states have an MFLC point of contact. Most military bases through their community services organizations also have these points of contact. For more information, go to: [http://hoodmwr.com/acs/sfrb\\_mflc.html](http://hoodmwr.com/acs/sfrb_mflc.html) or [www.militaryonesource.com](http://www.militaryonesource.com)

### ► **Note for Spouse**

**MLO may also be able to assist with finding a counselor or faith-based services.**

► **Parents/Grandparents/Guardians** – If these family members or other caregivers are mentioned in your family care plan, ensure they are included in, have a copy of, and know the location of all critical documents so they can act on your behalf in case of emergency, illness, or other incapacitation.

### ► **Note for LE**

**LE agencies could, without being asked, conduct a physical security survey of home/property and increase nighttime/weekend patrols for the deployed officer's family residence.**

► **Personal Property** – Protect your home; install deadbolt locks on front and rear doors, check outdoor lighting and install motion sensitive lights; check smoke, carbon dioxide, and radon detectors and complete an inventory in case of fire or theft.

► **Spiritual Needs** – Some LE agencies and all military units have access to chaplains. Find one you are comfortable with; they are an excellent source of spiritual support.

► **“What If...” Lists, Develop and Discuss with Servicemember and MLO**

For example:

- What if there is a medical emergency?
- What if I lose my ID card?
- What if I do not hear from my servicemember?
- What if I need financial assistance?

Except in medical emergencies, help is available from your RD Commander, or your LE agency MLO.

### ► **Note for LE**

**The agency's MLO should have a checklist with key contacts and phone numbers and review 'what-ifs' soon after deployment to reassure family member that assistance is only a phone call away.**

## III. Deployment

As of fall 2009 (Source: DoD), 46% of the 1.9 million servicemembers who have deployed since 9/11 were married. These deployments place families into a stressful, life-changing event. However, many of these same families will find themselves among others who have faced previous deployments all the while exhibiting a positive attitude, weathering the roller coaster of emotions, and properly preparing themselves and their family members for THE deployment day. Your servicemember will probably be deployed for 12 months, so your servicemember's department, RD, neighborhood, church, and family support group will be critical to your emotional and physical well-being for the duration of the deployment. Since family members are not allowed in the final staging area from which your servicemember departs, exchange hugs before they enter this area, and return to your home. Based on months of preparation, it is now time to take control until your servicemember returns. During the deployment phase, consider the following:

### ► **Children Matter**

- Educate your children on the importance of staying connected throughout the deployment. Understand the changed family environment will have challenging, busy, and fun times.

### ► **Note for LE**

**LE leaders should establish a suspense file so birthdays, anniversaries, holidays, and other significant dates are remembered. Consider sending a card with a personal note or even a phone call. Stay in touch.**

- Have each child choose a household chore as a special family contribution
  - Start a new family adventure; continue scouting activities, youth sports, and arts and crafts
  - Maintain routines and discipline consistently
  - Keep in touch; send cards, pictures, and copies of school work to servicemember ([www.sesamestreetfamilyconnections.org](http://www.sesamestreetfamilyconnections.org))

### ► **Note for Spouse**

**[www.militarystudent.org](http://www.militarystudent.org) is designed to help military children and their parents with school-related issues and may be helpful to families.**

- Develop care packages and add fun items; mail monthly as a great morale booster for deployed servicemember and for children as well

- If a trusted neighbor proposes to watch the children or help prepare a meal, say “Yes!”

- Be a hero to your children; take them to a movie or go for ice cream

- Start a “memory box” and fill it with pictures and other memorabilia that a child can keep at his or her bedside

- Check with your military service (call the Child/Youth/School Services) to see what is offered for free deployment respite care, classes, and sports during the deployment cycle. If you live far from a base, call a local YMCA or other youth recreation facility, to see what they offer for children of deployed servicemembers. Another source is the Operation Military Kids program ([www.ourmilitarykids.org](http://www.ourmilitarykids.org)). This is a state run program for geographically dispersed children of deployed servicemembers.

### ► **Note for Spouse**

***Operations Security (OPSEC) is a critical component of military deployment. Be cautious in disclosing information on military activities that may be critical to security.***

- **Communications** – Most military units will establish home pages, e-mail links, and newsletters. Ensure that you are included on the mailing list.

### ► **Note for LE**

**LE leaders may wish to contact community leaders and initiate a *community covenant* for support.**

- **Contact Rear Detachment (RD)**

- Talk to detachment commander and senior NCO again, and enter key phone numbers into your cell phone contacts list as appropriate.

- **Continuously Update Family Care Plan (FCP)** – Update whenever there are changes or new information becomes available.

- **Coping Strategies to Manage the Separation:**

- Keep physically active
  - Take good care of yourself
  - Learn to enjoy time alone
  - Learn a new skill; take classes
  - Get involved in volunteering at school, place of worship, or LE department’s spouse group
  - Set goals and pursue them
  - Do something fun and exciting
  - Anticipate and prepare for stress
  - Do not get hung up on the nightly news. Remember, the media reports ‘worst case scenarios.’

### ► Note for Spouse

If your servicemember is wounded while deployed, you will be contacted by your military service and/or RD. You may also contact the Wounded Warrior Support Program at [www.aw2.army.mil](http://www.aw2.army.mil).

### ► Note for LE

Deployment is an important time for the LE agency to check in with spouse, reaffirm support, and remind the spouse of programs and benefits they may be eligible for (mental health, Employee Assistance Program (EAP), etc.) to assist them through the deployment period.

► **Military Base Opportunities** – If you are near a military base, visit a Community Services Center or Family Support Center and discuss support, networking, recreation, United Services Organization (USO), youth services, child care, outreach programs, and faith based groups established to support you and your family. Guard and Reserve organizations have family program coordinators.

### ► Note for Spouse

Consider volunteering or attending an event sponsored by the USO. Opportunities can be found on [www.uso.org](http://www.uso.org).

### ► Note for LE

LE leaders should seek opportunities to recognize and include parents, spouses, and family members in agency sponsored events. Cost is minimal but effect is priceless.

► **Social Networking/OPSEC** – You should be cautious with what you and your family put on social networking sites such as Facebook and Twitter. OPSEC is important to protect your servicemember's whereabouts, military unit, and deployment timing. Tying ribbons around trees off a military base or secure housing area may alert criminals that fewer people are at home.

## IV. Reunion/ Homecoming

This is the stage at which servicemembers are returning to their home station, Guard or Reserve armory, possible demobilization, and return home. This is a major event for servicemembers and their families. The reunion/homecoming period includes the initial meeting and can last for several weeks. This is the time of renewing relationships, relearning, and restoring intimacy. It is best, if at all possible, to put aside discussions of problems encountered at home during the deployment until a later date. Open communication and keeping realistic expectations are the keys to a successful reunion. Homecoming is a change for all. It is important to accept the fact that life will be different. It just might be the “new normal.”

### ► Note for LE

**LE leaders should discuss homecoming activities with spouse. Some servicemembers may not want a large crowded party or office event soon after returning from deployment. Coordination with RD is important.**

### ► Decisions – What to do?

- Who will be meeting returning servicemember at the airport? Immediate family, extended family, friends, co-workers? Discuss early on and “manage” expectations.

- Set aside family time early on rather than planning a busy schedule

- Contact RD for last minute information on military unit schedule, arrival times, and location. Weather or other factors could impact arrival location and schedule.

- Remember that the servicemember is “jetlagged,” is conditioned with “hyper alertness,” and is no longer familiar with home rules and routines.

### ► Children at Homecoming ([www.sesamestreetfamilyconnections.org/](http://www.sesamestreetfamilyconnections.org/))

- Consider where children fit in; include them in homecoming preparation

- Children may be unsure or confused as to what to expect

- Kids will have grown physically, emotionally, and socially

- Kids will want quality time with parent to share school, social, and recreational activities

- You need to encourage quality time with the kids

- Be prepared for side effects such as tension, fears, and conflicting emotions

## Dos and Don'ts during the First Several Weeks

### ► Things you *should* do in the first several weeks:

- Take it slowly
- Share quality time with servicemember and family
- Take time to listen; communicate each other's personal expectations and compromise on how to make it work for everyone
- Keep expectations reasonable and be flexible
- Trust your servicemember on decisions made
- Allow time for your servicemember to refresh driving skills; you may wish to do the majority of driving at first until they have been back a couple of weeks
- Allow time for intimacy
- Be diplomatic when discussing new routines
- Encourage rest and a regular sleeping pattern

### ► Things you *should avoid* in the first several weeks:

- Criticism of servicemember
- Extensive list of chores
- Trying to solve too many issues at once
- Taking the servicemember to crowded public venues, without his or her consent
- Packing a full social agenda in the first few weeks
- Playing the “who had it worse” game

### ► Note for Spouse

The reunion stage of the deployment cycle may take longer for families who have experienced multiple deployments and there may be additional emotional strain. Give it time but seek professional help if warranted.

### ► Note for Spouse

Everyone should be aware that many changes will have occurred in almost every aspect of running the household and that with the return of the servicemember, more changes may need to be made. Plan for gradual change.



## V. Reintegration

Your servicemember is now home and everyone is getting readjusted. The reunion or “welcome home” period is over. The servicemember will undoubtedly need time to establish some normalcy and reacquaint themselves with you, their children, and other family members. Things will not be the same as they were pre-deployment. The reaching out and comforting actions you started during reunion need to continue.

### ► Note for Spouse

**During this period, the servicemember’s agency should get involved. Encourage the veteran to go slow and use all available time off. Rushing back to the job is not a good idea.**

► **Communications** – Reintegration is a time for modifying routines, redefining family roles, decision making, and reconnecting with family members, co-workers, and friends.

- Problems that existed before deployment may still linger. Prepare to discuss them slowly.

### ► Note for LE

**Some LE agencies have made the mistake of trying to reintegrate officers into their prior position too quickly. LE leaders should have a pre-established policy and process for reintegrating the officer back into the agency. It is important for the agency leader or the officer’s supervisor to check-in during this period and encourage the servicemember to take family time before returning to the job. Be cautious of employees who want to return too quickly.**

- Take time to listen if your servicemember is willing to talk. Do not prod them to talk beyond their comfort level.
- Reestablish sexual intimacy; take time to get to know each other again
- Watch for mounting tension between your servicemember and children but do not apply pressure for them to bond
- Give servicemembers space and time; it is tough for them to adjust as well

## ► Note for Spouse

[www.afterdeployment.org](http://www.afterdeployment.org) provides helpful materials on many aspects of post-deployment.

► **Finance** – The servicemember’s pay will again change; reevaluate budget and sources of income

► **Health/Medical** – The servicemember will have a post deployment health risk assessment as part of a returning home checklist. There may be a military requirement for outpatient care so be aware of this possibility. The servicemember may be seeking TRICARE or Veterans Affairs (VA) care; be flexible and understanding. It is recommended that the servicemember also receive a thorough dental check-up soon after returning home. Reestablishing trust between the servicemember and his or her partner and open communication will enable you both to reach out for professional assistance and counseling, if warranted. Take care not to alienate the servicemember with criticism, but know that if warning signs such as anger or depression are left unchecked, this may lead to a behavior pattern that could worsen.

► **The New “Normal”** – If anything, change will be the predominant factor in this critical phase of the deployment cycle. Both the servicemember and each family member have grown physically, have new perspectives on life, and have experienced life changing events. The key is flexibility and to be prepared for all changes as life continues. If one is not adjusted at home, it will be much tougher to adjust to reintegration with the officer’s agency and co-workers.

### ► **Post-Traumatic Stress (PTS)**

**Reactions** – Your servicemember may experience some anxiety, depression, and/or trouble readjusting. Being away from home and seeing, acting, and dealing with extraordinary circumstances, loss of life, combat conditions, and deployment in a country with different social structures than they are accustomed to, can contribute to stress-related disorders. Symptoms may not develop immediately after returning from deployment, and may not develop until months later. It is normal for some symptoms to last for a couple of weeks, and dissipate on their own. Most servicemembers adjust to life at home with time. Respect them if they need time alone or time with their “war buddies” to decompress. If effects linger and symptoms become more severe or persist, it could

develop into Post-Traumatic Stress Disorder (PTSD). Contact [www.militaryonesource.com](http://www.militaryonesource.com) (1-800-342-9647) for referral to a private local counselor or obtain more information about PTSD at [www.ptsd.va.gov](http://www.ptsd.va.gov). PTSD treatment services are also available through TRICARE and the VA.

Typical PTS Reactions:

- Intense nightmares
- Intrusive thoughts or memories
- Depression
- Difficulty sleeping or driving
- Withdrawn/irritable
- Easily startled/hyper alertness

#### ► **Note for LE**

**Sometimes an agency spouse support group has individuals such as a licensed mental health professional who can discuss PTSD information in private.**

► **Redeployment** – If the servicemember is in the Guard or Reserve, another deployment or reactivation for state or federal service is possible. Discussing this with the servicemember too soon after returning from a deployment may trigger an emotional outburst. It is best to set this topic aside for future discussions.

**Be proud of your servicemember – his or her commitment to you, your family, the community, and the nation is extraordinary.**

#### ► **Rest & Relaxation** –

Servicemembers deserve to spend quality time with their family, to relax and get reacquainted. Many departments will give returning officers ample time to spend with their families. Coupled with accrued leave, most servicemembers find 4-6 weeks to be enough time to readjust to their family and community before returning to work. Children want and need quality time with both parents together. Allow the servicemember some quality time on their own to adjust to being home.

#### ► **Note for Spouse**

**It is not uncommon for children to show jealousy of their parents spending time together. They may also feel distant from the returning parent and experience some issues of abandonment; kids need time too.**

## ► Note for LE

Be familiar with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Service-members have 14 days to return to work if they were deployed 31-180 days and 90 days to return to work if they were deployed for 181 or more days.

► **Suicide Prevention** – While it is true that some returning veterans have discussed or attempted suicide, the vast majority have little trouble adjusting. However, recognize that there are help lines open to discuss any issues privately. **Take threats/comments about suicide seriously and seek immediate assistance.** For more information contact 1-800-273-TALK or visit [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org). Watch for warning signs such as:

- Intense nightmares
- Excessive drug/alcohol use
- Suicidal ideation
- Arguing, anger, and hostility
- Significant appetite changes

## VI. Policy and Practice Recommendations for Law Enforcement Leaders

These policy recommendations are provided in a deployment cycle format summarized for easy consideration and implementation by LE leaders as appropriate:

### Pre-Deployment

- Begin planning before an officer receives deployment orders; it is a year-round effort.
- Be prepared to review all salary/compensation arrangements to include salary differentials, if appropriate.
- Inform all family members if the department's legal advisor is ready and able to assist with legal issues including powers of attorney, mortgage issues and rental questions, and general legal issues that can, at times, be overwhelming to spouses, parents, and caregivers.
- If available, appoint a combat veteran officer to be the department's MLO. The MLO should be made available to explain a host of unfamiliar military jargon and, most importantly, the confusing aspects of health care under

the military's TRICARE system. If your department does not have a veteran, partner with an adjacent or regional agency or department that has one.

- ▶ Assist in the development of a spouse support group which, when formed, can assist with the understanding of health care options, family care, schooling, the EFMP, and other community-oriented activities. Spouses whose servicemembers have experienced multiple deployments can serve as a significant resource.
- ▶ Consider forming a *Family Readiness Group* (FRG) to maintain lines of communication between the department spouses and selected health and other professional providers. This is especially important when rumors or bad news trickles in from combat theaters where servicemembers might be serving.
- ▶ Ensure your MLO has an up-to-date checklist with key contact and phone numbers to respond to “what-if” questions from spouses and family members (see page 12 for examples).

- ▶ Sign an “*ESGR Statement of Support*” and see if there is an opportunity to sign a *community covenant* to express support for the families, as well as the deployed servicemembers.

## Deployment

- ▶ Reach out to assist family members with critical financial management documents such as tax paperwork, checking accounts, investments, allotments, insurance, etc., and other similar documents that are often bewildering to a spouse or a family member, who may be unfamiliar with them.
- ▶ Take every opportunity to recognize parents, spouses, and family members; they will all appreciate the gesture. Invite them to departmental family activities such as barbecues, picnics, and ball games.
- ▶ Determine family members' birthdays, anniversaries, and other important dates and designate a member of the agency to send an appropriate card or e-greeting.
- ▶ Prior to homecoming, discuss welcoming activities with the family. Coordinate with RD commander to ensure you have latest arrival information.
- ▶ Alert their union or PBA to provide assistance to the family during deployment.

▶ Take the initiative and add family member's residence to those who deserve nighttime/weekend patrols to check on physical security and other service as appropriate. These patrols should be coordinated with other jurisdictions if the property resides in another county, parish, or jurisdictional boundary.

▶ Gather family members together and explain residential and personal security procedures (and how the department can check in on them), and how they can be on the alert for thieves and other individuals who may seek to take advantage of them.

▶ Ensure that the MLO has developed a comprehensive task list and that one of their tasks is to assist family members in locating counselors, social workers, ministry contacts, or members of the Military Family Life Consultant program.

▶ Review law enforcement OPSEC with the spouse or family member so they remain vigilant when contacted by any individual (in person, over the phone, through social networks, etc.) whom they cannot easily identify.

## Reintegration

▶ Inform your chain of command if any unusual behavioral changes are noticed in the returning veteran that could impact their duty status. Consultation with a department social worker or psychologist may be appropriate, if one is available.

▶ Be alert for any veteran wanting to return to the job too quickly. Encourage maximum family time and leave (at least 30 days) and have a one-on-one meeting with the veteran to determine the best timeframe for returning to full, active duty status with the LE agency.

**NOTE:** Familiarity with the *Employer Support of the Guard and Reserve* (ESGR) and USERRA is critical to understanding any returning veteran's complaints that their reemployment rights have been violated. All LE agency managers should be thoroughly familiar with the provisions of both.

# VII. Resources

## Benefits

- ▶ **Defense Finance and Accounting Service:** [www.dfas.mil](http://www.dfas.mil)
- ▶ **Department of Veterans Affairs:** [www.insurance.va.gov/sglisite/default.htm](http://www.insurance.va.gov/sglisite/default.htm)
- ▶ **Employer Support of the Guard and Reserve:** [www.esgr.mil](http://www.esgr.mil)
- ▶ **Internal Revenue Service:** [www.irs.gov/pub/irs-pdf/p3.pdf](http://www.irs.gov/pub/irs-pdf/p3.pdf)
- ▶ **My Army Benefits:** <http://myarmybenefits.us.army.mil>
- ▶ **RAPIDS Site Locator (Military ID Card locations):** [www.dmdc.osd.mil/rsl](http://www.dmdc.osd.mil/rsl)
- ▶ **TRICARE:** [www.tricare.mil](http://www.tricare.mil)

## Comprehensive

- ▶ **America's Heroes at Work:** [www.americasheroesatwork.gov](http://www.americasheroesatwork.gov)
- ▶ **American Red Cross:** [www.redcross.org](http://www.redcross.org)
- ▶ **Army Wounded Warrior Program:** [www.aw2.army.mil](http://www.aw2.army.mil)
- ▶ **IACP Returning Combat Veterans/Leaders and Veterans Guide:** [www.theiacp.org/vets2cops](http://www.theiacp.org/vets2cops)
- ▶ **Joint Services Support Yellow Ribbon Program:** [www.jointservicessupport.org/YRRP/](http://www.jointservicessupport.org/YRRP/)
- ▶ **National Resource Directory:** [www.nationalresourcedirectory.gov](http://www.nationalresourcedirectory.gov)

- ▶ **U.S. Armed Forces Legal Assistance:** <http://legalassistance.law.af.mil/>
- ▶ **U.S. Department of Defense:** [www.defense.gov](http://www.defense.gov)
- ▶ **Yellow Ribbon Reintegration Program:** [www.dodyrrp.mil](http://www.dodyrrp.mil)

## Community/Family Support

- ▶ **Army Family Readiness Group:** [www.armyfrg.org](http://www.armyfrg.org)
- ▶ **Army Reserve Family Programs:** [www.arfp.org](http://www.arfp.org)
- ▶ **Army Well-Being:** [www.armywell-being.org](http://www.armywell-being.org)
- ▶ **Child Care Aware:** [www.childcareaware.org](http://www.childcareaware.org)
- ▶ **Fisher House Foundation:** [www.fisherhouse.org](http://www.fisherhouse.org)
- ▶ **Humane Society:** [www.hsus.org](http://www.hsus.org)
- ▶ **Joint Services Support:** [www.guardfamily.org](http://www.guardfamily.org)
- ▶ **Military Family Life Consultants:** [www.hoodmwr.com/acs/sfrb\\_mflc.html](http://www.hoodmwr.com/acs/sfrb_mflc.html)
- ▶ **Military Impacted Schools Association:** [www.militarystudent.org](http://www.militarystudent.org)
- ▶ **Military OneSource:** [www.militaryonesource.com](http://www.militaryonesource.com)
- ▶ **MilitaryHOMEFRONT:** [www.militaryhomefront.com](http://www.militaryhomefront.com)
- ▶ **National Center for PTSD:** [www.ptsd.va.gov](http://www.ptsd.va.gov)

- ▶ **National Fatherhood Initiative:**  
[www.fatherhood.org](http://www.fatherhood.org)
- ▶ **National Military Family Association:** [www.militaryfamily.org](http://www.militaryfamily.org)
- ▶ **National Suicide Prevention Lifeline:**  
[www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)
- ▶ **Naval Services FamilyLine:**  
[www.lifelines.navy.mil/FamilyLine/](http://www.lifelines.navy.mil/FamilyLine/)
- ▶ **Navy Reserve Family Readiness Information:** [www.navyreserve.navy.mil/reservefamilies/](http://www.navyreserve.navy.mil/reservefamilies/)
- ▶ **NetPets:** [www.netpets.org](http://www.netpets.org)
- ▶ **Office of Work-Life Programs/ Ombudsman Program:**  
[www.uscg.mil/worklife/ombudsman.asp](http://www.uscg.mil/worklife/ombudsman.asp)
- ▶ **Operation Military Kids:**  
[www.operationmilitarykids.org/public/home.aspx](http://www.operationmilitarykids.org/public/home.aspx)
- ▶ **Our Military Kids:**  
[www.ourmilitarykids.org](http://www.ourmilitarykids.org)
- ▶ **Sesame Street Family Connections:** [www.sesamestreetfamilyconnections.org](http://www.sesamestreetfamilyconnections.org)
- ▶ **U.S. Army HOOAH 4 HEALTH:**  
[www.hooah4health.com](http://www.hooah4health.com)
- ▶ **United Services Organization:**  
[www.uso.org](http://www.uso.org)
- ▶ **Wellness Resources for the Military Community:**  
[www.afterdeployment.org](http://www.afterdeployment.org)

### Relief Agencies

- ▶ **Air Force Aid Society:**  
[www.afas.org](http://www.afas.org)
- ▶ **Army Emergency Relief:**  
[www.aerhq.org](http://www.aerhq.org)
- ▶ **Coast Guard Mutual Assistance:**  
[www.cgmahq.org](http://www.cgmahq.org)
- ▶ **Navy-Marine Corps Relief Society:** [www.nmcrs.org](http://www.nmcrs.org)

## Final Comments

▶ The authors of this guide hope that you find the information of value, regardless of whether you are a spouse, single parent or caregiver, grandparent, family member, or significant other of a deployed, deployable, or returned combat veteran. For those in a law enforcement role, we hope that you use this information to enhance your programs focused on a most valuable resource – the family members of your officers who have continually pledged their allegiance to our country and to your community.

For further information, please contact [militaryveterans@theiacp.org](mailto:militaryveterans@theiacp.org)

# Appendix A: Acronyms

**ARC**

American Red Cross

**ATM**

Automated Teller Machine

**BJA**

Bureau of Justice Assistance

**DEERS**

Defense Enrollment Eligibility  
Reporting System

**DFAS**

Defense Finance and Accounting  
System

**DoD**

Department of Defense

**EAP**

Employee Assistance Program

**EFT**

Electronic Funds Transfer

**EFMP**

Exceptional Family Member Program

**ESGR**

Employer Support of the Guard and  
Reserve

**FCP**

Family Care Plan

**FOP**

Fraternal Order of Police

**FRG**

Family Readiness Group

**FSA**

Family Separation Allowance

**HR**

Human Resources

**IACP**

International Association of Chiefs  
of Police

**IRS**

Internal Revenue Service

**LE**

Law Enforcement

**LES**

Leave and Earnings Statement

**JAG**

Judge Advocate General  
(Military Lawyer)

**MFLC**

Military and Family Life Consultant  
Program

**MLO**

Military Liaison Officer

**NCO**

Noncommissioned Officer  
(Sergeant)

**OEF**

Operation Enduring Freedom;  
Afghanistan - Oct 2001-Current

**OIF**

Operation Iraqi Freedom;  
Iraq - Mar 2003-Aug 2010

**OMK**

Operation Military Kids

**OND**

Operation New Dawn;  
Iraq - Sept 2010-Current

**OPSEC**

Operations Security

**PBA**

Patrolmen's Benevolent Association

**PTS**

Post Traumatic Stress

**PTSD**

Post Traumatic Stress Disorder

**RD**

Rear Detachment

**SCRA**

Servicemembers Civil Relief Act

**SGLI**

Servicemembers Group Life  
Insurance

**TRICARE**

Health insurance program for  
servicemembers and their families

**USA**

United States Army

**USAF**

United States Air Force

**USCG**

United States Coast Guard

**USERRA**

Uniformed Services Employment  
and Reemployment Rights Act of  
1994

**USMC**

United States Marine Corps

**USN**

United States Navy

**USO**

United Services Organizations, Inc.

**VA**

Veterans Affairs

## Appendix B: Glossary

**Community Covenant** – An agreement or promise between participating agencies, community organizations, neighborhood retail stores, religious institutions, etc., to support servicemembers – Active, Guard and Reserve – and their families, and provide a quality of life commensurate with their level of service and sacrifice to the nation.

**Defense Enrollment Eligibility Reporting System (DEERS)** – An automated system that lists everyone who is eligible for military benefits.

**Department of Defense’s Military HOMEFRONT** – The official DoD website that provides information for all servicemembers and their families for quality of life programs and services ([www.militaryhomefront.com](http://www.militaryhomefront.com)).

**Deployment Cycle** – A term used to describe various deployment activities used by all military services for clarity by families and spouses; the cycle is generally depicted as stages of pre-deployment, deployment, reunion/homecoming and reintegration.

**Employee Assistance Program (EAP)** – A LE agency support service.

**Employer Support of the Guard and Reserve (ESGR)** – DoD agency that seeks to promote a culture in which all American employers support and value the military service of their employees ([www.esgr.mil](http://www.esgr.mil)).

**ESGR Statement of Support** – A certificate signed by the Secretary of Defense which provides employers a visible means of demonstrating support to their Guard and Reserve employees. The program is promoted by the ESGR and is supported by the IACP.

**Exceptional Family Member Program (EFMP)** – A two-part DoD program that includes a personnel function and a family support function. It differs among the services but focuses on family members (child or adult) with medical and/or educational needs through treatment, therapy, education, training, or building modifications. The personnel program documents those needs and considers them during the assignment and deployment process. The family support programs are not mandatory but each military service has its own specific programs which can be accessed through Military OneSource ([www.militaryonesource.com](http://www.militaryonesource.com)).

**Family Care Plan (FCP)** – A written document that must be prepared by each dual-military family and single parent and kept on file at the unit. The plan specifies who has been designated to care for family members when parents are mobilized or deployed. The plan includes necessary powers of attorney and other forms.

**Family Readiness Group (FRG)** – A military command sponsored group for people within a military unit to support each other, create bonds, and maintain lines of communication. An FRG maintains an effective communication network between a family and a deployed servicemember.

**Key Spouse** – An experienced spouse who is the link between the family and rear detachment. Each service has mechanisms for supporting spouses while the military servicemember is deployed. Several of these programs include:

- ▶ USAF: Key Spouse Initiative
- ▶ USA: Family Readiness Group
- ▶ USN: Ombudsman and Fleet and Family Support Unit
- ▶ USMC: Key Volunteer Program/ Marine Corps Family Team Building Organization

**Medical Power of Attorney** – A legal document that allows an individual to make medical decisions for another in the event they are incapacitated. A *living will* is required for an individual to specify the kind of medical treatment he or she would want if they were unable to communicate these choices.

**Military Liaison Officer (MLO)** – A sworn or civilian employee of a law enforcement agency designated by an agency executive to be the department single point-of-contact between the department and a military command, base, or station. This position should be occupied by a veteran or person familiar with the military. Additional information on creating an MLO can be found at [www.theiacp.org/vets2cops](http://www.theiacp.org/vets2cops).

**Operations Security (OPSEC)** – A process to deny potential adversaries from gathering information about military operations by identifying, controlling, and protecting unclassified information that may provide evidence of the planning and execution of sensitive activities. In other words, the process of keeping information about your servicemember, their military affiliation, and your family on a strict need-to-know basis.

**Power of Attorney** – A legal document that authorizes another person to act on your behalf. These documents can be *general* or *special*, limiting the length of time and the kinds of actions the person named can take.

**Rear Detachment** – A small cadre of specially trained servicemembers from a deploying unit who remain behind at the base or installation. Their function is to serve as a link between families, servicemembers, the deployed organization, and community support agencies. They should be the first source of information for family members who have questions about their loved ones.

**Servicemembers Civil Relief Act (SCRA)** – A federal law that gives all servicemembers protection as they enter active duty and other protections while on active duty. This law protects all service components including members of the Guard and Reserve. It covers such protections as rental agreements, eviction, car payments, installments contracts, mortgage interest rates, and foreclosures.

**Servicemembers Group Life Insurance (SGLI)** – The military's group life insurance plan for military servicemembers on active duty in the uniformed services.

**Shared Custody** – Shared custody (also called joint custody) is when both divorced or separated parents share the rights and responsibilities of raising and caring for a child. In most shared custody agreements both parents share legal and physical custody of the child and have the right to make decisions about education, health care, day care, emergency care, extracurricular activities, religion, and other issues that affect the child's life.

**Single Parent/Caregiver** – A servicemember who has no spouse or who is separated or otherwise apart from his or her spouse, but who has sole legal and physical custody of dependent children or other dependent family members.

**TRICARE** – The military health care program serving uniformed servicemembers, their families, retirees, survivors, and others worldwide.

**TRICARE Prime** – Health care available to Guard and Reserve servicemembers and their families when the Guard or Reserve member is activated for more than 30 consecutive days. It is a managed-care option similar to a civilian Health Maintenance Organization (HMO), and provides the most comprehensive health care benefit at the lowest cost of all TRICARE options.

**TRICARE Standard** – A fee-for-service plan and provides coverage for those beneficiaries not enrolled in TRICARE Prime. It provides great flexibility in choosing providers but can be the most expensive option.

**TRICARE Extra** – An option for TRICARE Standard beneficiaries who want to save on out-of-pocket expenses by making an appointment with a TRICARE Prime network provider. One can choose any physician in the TRICARE Extra network and may be less expensive than TRICARE Standard.

**TRICARE Reserve Select** – A premium-based health plan that qualified Guard and Reserve servicemembers may purchase when they are *not* on active duty. It requires a monthly premium. Reserve Select is available worldwide to most non-activated Selected Reserve servicemembers of the Ready Reserve and their families when they are not on active duty or covered under a transitional program.

**TRICARE Prime Remote** – The program for servicemembers and their families who are on remote assignment, typically 50 miles from a military treatment facility. In some cases, due to undue hardship for travel, beneficiaries may request a hardship waiver to become eligible even if they live less than 50 miles from a MTF.

**TRICARE Dental Program** – Guard and Reserve servicemembers may purchase coverage when they are *not* on active duty or covered by active duty dental benefits. Family members may enroll in TDP at anytime regardless of duty status and pay reduced monthly premiums while their servicemember is activated.

**Uniformed Services Employment and Reemployment Rights Act (USERRA)** – A Federal law that establishes rights and responsibilities for members of the National Guard and Reserve and their civilian employers. It affects employment, reemployment, and retention in employment when employees serve or have served in the uniformed services (<http://www.dol.gov/vets/whatsnew/userraguide0704.rtf>).

**Will** – A legal document that ensures your assets and belongings are disposed of according to your wishes and that your dependents are provided for. This document will be made part of the FCP.

**Yellow Ribbon Reintegration Program** – The Yellow Ribbon Reintegration Program provides information, services, referral, and proactive outreach programs to servicemembers in the Army Reserve and their families through all phases of the deployment cycle. The Yellow Ribbon program is a non-profit organization that provides various homecoming services to all servicemembers.

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## IACP Leadership and Project Personnel

### Executive Staff

**CHIEF MARK A. MARSHALL**  
*President*

**DANIEL ROSENBLATT**  
*Executive Director*

**JAMES MCMAHON**  
*Deputy Executive Director*

**JOHN FIRMAN**  
*Research Center Director*

### Project Staff

**ARNOLD DAXE, JR., CPP**  
*Project Manager*  
*COL, USA Retired*

**RYAN DAUGIRDA**  
*Project Assistant*

**ELAINE DECK**  
*Senior Program Manager*





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